

# KITS

6-1-2011 Version # 2



**COMMUNITY ZONING APPEALS BOARD 10  
JORGE MAS CANOSA YOUTH CENTER  
250 SW 114 Avenue, City of Sweetwater  
Thursday, July 7, 2011 at 6:30 p.m.**

## **CURRENT**

- |    |             |  |               |          |   |
|----|-------------|--|---------------|----------|---|
| 1. | 11-7-CZ10-1 | <u>LIFE CHURCH OF SOUTH FLORIDA, INC</u> | <u>10-105</u> | 22-54-40 | N |
| 2. | 11-7-CZ10-2 | <u>HIGHPOINT ACADEMY, INC</u>            | <u>10-148</u> | 13-54-39 | N |



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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### COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF THURSDAY, JULY 7, 2011

JORGE MAS CANOSA YOUTH CENTER

250 SW 114 AVENUE, CITY OF SWEETWATER, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

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TO: "3. That the use be established and maintained in accordance with the approved plans entitled "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., Sheet A100 dated stamped received 4/28/11, Sheet L100 dated stamped received November 29, 2010, and the remaining four (4) sheets dated stamped received September 20,2010 for a total of six (6) sheets."

(3) MODIFICATION of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "4. That the use be approved and restricted to a maximum of 245 students."

TO: "4. That the use be approved and restricted to a maximum of 237 students."

FROM: "8. That the number of grades will be from pre-school to 6 grade."

TO: "8. That the number of grades will be from pre-school to 8 grade."

FROM: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 5."

TO: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8."

The purpose of request #2 and #3 is to permit the application to submit revised plans and to show a reduction in the number of students, the addition of grades 7 and 8 to the private school, and to permit a reduction in the number of teachers and an increase in the number of administrative and clerical personnel.

(4) Applicant is requesting to permit a classroom space of 6,488 SF (7,365 sq. ft. minimum required).

(5) Applicant is requesting to permit the proposed modular building to setback 7'-6" (50' minimum required) from interior side (east) property line.

(6) Applicant is requesting to permit an outdoor recreation area of 54,683 SF (65,738 sq. ft. minimum required).

(7) Applicant is requesting to permit a prefabricated storage building addition to classroom #2 to setback 8.35' (50' required) from the interior side (east) property line.

(8) Applicant is requesting to permit the existing basketball court setback 34' (75' required) from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' (7.5' required) from the interior side (west) property line

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

LOCATION: 12101 S.W. 34<sup>th</sup> STREET, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 2.52 ACRES



**1. LIFE CHURCH OF SOUTH FLORIDA**  
**(Applicant)**

**11-7-CZ10-1 (10-105)**  
**Area 10/District 10**  
**Hearing Date: 07/07/11**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase  /lease  the property predicated on the approval of the zoning request? Yes  No

If so, who are the interested parties? Apostolate of Divine Mercy, Inc.

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1965	Bird Road Baptist Church	- Unusual Use & Variance of zoning regulations & parking regulations.	ZAB	Approved w/conds.
1970	Bird Road Baptist Church, Inc.	- Unusual Use to permit a kindergarten & nursery. - Modification of resolution.	ZAB	Approved w/conds.
1982	Bird Road Baptist Church	- Modification of a site plan. - Special Exception to permit expansion of an existing church building. - Non-Use Variance of zoning regulations.	ZAB	Approved w/conds.
1986	Bird Road Baptist Church	- Special Exception to permit the expansion of the church. - Non-Use Variance of setback. - Modification of resolution.	ZAB	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

**APPLICANT:** Life Church of South Florida, Inc.

**PH:** Z10-105 (11-7-CZ10-1)

**SECTION:** 22-54-40

**DATE:** July 7, 2011

**COMMISSION DISTRICT:** 10

**ITEM NO.:** 1

**A. INTRODUCTION**

o **SUMMARY OF REQUESTS:**

The applicant is seeking to establish a religious facility including a parsonage residence. In addition, the applicant is seeking to delete and revoke four (4) resolutions and related conditions in order to submit new plans. Additionally, the applicant is seeking the approval to allow a religious facility to be located closer to the interior side (south) property line and spaced less than the required distance from an existing residence located on a parcel of land located to the south of the subject property. Moreover, the applicant is seeking the approval to allow parking within 25' from the official right-of-way and to allow a 5' wide greenbelt in lieu of a required 7' wide greenbelt.

o **REQUESTS:**

- (1) SPECIAL EXCEPTION to permit a religious facility and a parsonage residence.
- (2) RESCIND AND REVOKE Resolutions 3-ZAB-251-65, 4-ZAB-369-70, 4-ZAB-265-82 and 4-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property.

The purpose of request #2 is to allow the applicant to delete all resolutions and corresponding conditions for a parking lot, outdoor recreational uses and pavilion in connection with a previously approved church, day nursery and kindergarten use.

- (3) Applicant is requesting to permit the religious facility setback varying from 15' to 28'4"(50' required) from the interior side (south) property line and spaced less than 75' from an adjacent residence to the south.
- (4) Applicant is requesting to permit parking within 25' of an official rights-of-way (not permitted).
- (5) Applicant is requesting to permit a minimum 5' wide greenbelt (7' required) along a portion of the right-of-way.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Divine Mercy-House Of Prayer". As prepared by David J. Cabarrocas/Architect dated stamped received 03/21/11, with Sheet L-1 dated handwritten revision 04/14/11, consisting of 4 sheets. Plans may be modified at public hearing.

- o **LOCATION:** 4101 SW 85 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 0.88 Acre

**B. ZONING HEARINGS HISTORY:**

In 1965, pursuant to Resolution #3-ZAB-251-65, the Zoning Appeals Board granted approval for non-contiguous non-commercial parking to serve a religious facility and to allow parking in the front setback area. In 1970, pursuant to Resolution #4-ZAB-369-70, the Zoning Appeals Board granted approval for a kindergarten and a day nursery in conjunction with a religious facility and a modification of the plans approved in 1965. In 1982, pursuant to Resolution #4-ZAB-265-82, the Zoning Appeals Board granted a modification of the plans approved in 1970, a special exception to expand the church building and non-use variances of zoning regulations to allow parking within 25' from the official right-of-way and to allow a wall sign larger than permitted by the Zoning Code. In 1986, pursuant to Resolution #4-ZAB-296-86, the Zoning Appeals Board granted the approval of a special exception to expand the church and kindergarten use and a non-use variance of setbacks and a modification of the plans approved in 1982.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:**

1. *The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.*
2. **Residential Communities.** *The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, **houses of worship**, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.*
3. *Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.*

- 4. **Policy LU-4A.** *When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*
- 5. **Policy LU-4C.** *Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.*

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

**Subject Property:**

RU-1, parking lot and pavilion

Low-Density Residential 2.5-6 dua

**Surrounding Properties:**

**NORTH:** BU1-A and RU-2, duplex and commercial

Business and Office

**SOUTH:** RU-1, single family residences

Low-Density Residential 2.5-6 dua

**EAST:** RU-1, single family residences

Low-Density Residential 2.5-6 dua

**WEST:** BU-1A, commercial buildings

Low-Density Residential 2.5-6 dua

**E. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(7) Generalized Modification Standards.** *The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.*

**Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses.** *The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.*

**Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.** *Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*

**F. NEIGHBORHOOD SERVICES PROVIDER COMMENTS:**

DERM	<b>No objection</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDT	<b>No comment</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No objection</b>

**G. PLANNING AND ZONING ANALYSIS:**

The subject property is a 0.88-acre site zoned RU-1, Single-Family Residential District and is currently improved with a parking area, recreational uses, day nursery, kindergarten and a pavilion. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential**; *this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.*

The proposed religious facility on this 0.88-acre site would be similar to the existing uses on this site which consist of a day nursery, kindergarten, parking lot and outdoor recreational uses in connection with a religious facility across SW 40 Terrace, said existing uses have been approved pursuant to the resolutions being requested to be deleted and revoked in this application. Staff is of the opinion that since the existing uses on this site have been lawfully approved in connection with an existing religious facility across SW 40th Terrace and because the interpretative text of the CDMP states that; *existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be **consistent** with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map",* the proposed religious facility would be **consistent** with the Land Use Plan Map of the CDMP since it would be similar to the existing uses on the subject site.

In addition, the interpretative text of the CDMP states that: *in areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, **houses of worship**, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationships.* Furthermore, staff opines that said religious facility is **consistent** with **Policy LU-4A** which states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements. Staff notes that the applicant has taken into consideration the adjacent single family residence located to the south of the subject property by providing a 6' high cbs masonry wall along the interior side (south) property line, which staff opines would provide adequate buffering from the proposed religious facility and related activities to said single-family residence.

Moreover, **Policy LU-4C** states that *residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.* As previously mentioned, staff notes that said proposed 6' high cbs masonry wall would diminish any negative impact such as glare, odor, vibration, dust or traffic, which could result from the worshippers attending the religious services on this site. However, staff recommends that the applicant provides a hedge along the easterly property line (SW 84<sup>th</sup> Court) to be maintained at a maximum height of 6', in order to reduce any negative visual impact, which may be caused by the proposed parking area. Staff is of the opinion that subject to the recommended condition the proposed religious facility would be **compatible** with the surrounding area which is characterized by commercial buildings to the north and to the west and by single family residences to the east and to the south. Based on the aforementioned, staff is of the opinion that with the recommended hedge, the application would be **consistent** with the LUP map designation of the CDMP, with the interpretative text of the CDMP and with **Policies LU-4A** and **LU-4C** of the CDMP and, in staff's opinion, is **compatible** with the area.

When request #1 is analyzed under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses and request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff recommends that the requested special exception

to permit a religious facility (request #1), and the requested deletion and revocation of the previously approved resolutions (request #2), be approved with conditions. Staff is of the opinion that the proposed religious facility would be **compatible** with the surrounding area because the proposed religious facility would not increase the existing visual and aural impact being caused by the existing uses on the subject property to the neighboring properties. Staff notes, that the subject site has been utilized by the existing religious facility across SW 40 Terrace. Since 1965 this site has been utilized for recreational activities, day nursery, kindergarten and parking area. As such, staff is of the opinion that the proposed religious facility with the conditions recommended by the Department will not adversely impact the surrounding area and will be **compatible** with the same. As such staff recommends approval with conditions of request #1, under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses and approval with conditions of request #2 under Section 33-311(A)(7) Generalized Modification Standards.

When request #3 is analyzed under Section 33-311(A)(4)(b), staff recommends approval with conditions of this request. As previously mentioned, staff notes that the plans submitted by the applicant depict a proposed 6' high masonry wall along the interior side (south) property line where the proposed religious facility encroaches approximately 35' into the required setback area and where the proposed facility is spaced less than 75' from an existing single-family residence to the south. Staff is of the opinion that the proposed 6' high masonry wall provides adequate visual and aural buffering from the proposed religious facility building and from the incidental activities on the religious facility site to the existing single-family residence. As such, staff recommends approval of request #3 subject to conditions under Section 33-311(A)(4)(b).

When requests #4 and #5 are analyzed under Section 33-311(A)(4)(b), staff recommends approval with conditions of these requests. Staff notes that in request #4 the applicant seeks to allow parking within 25' from an official right-of-way line. Staff notes that the plans submitted by the applicant depict the main building located on the center of the site. The proposed building would be surrounded by a 22 vehicle parking lot to the east, a 13 vehicle parking lot to the north and a 4 vehicle parking lot to the southwest with some of the parking spaces and driveways located within 25' of the official right-of-way of SW 84 Court, SW 40 Terrace and SW 85 Avenue, which staff opines would not cause any negative impact to the surrounding area except visually to the property lying across SW 84 Court, which is developed with single-family residences. Staff recommends as a condition of the approval that a hedge be provided along the easterly property line not to exceed 6' in height. In addition, in request #5 the applicant is seeking to allow a 5' wide landscaped greenbelt where a 7' wide greenbelt is required. Staff notes, that the parking lot is surrounded by a greenbelt which exceeds the minimum 7' wide greenbelt requirement except for a point where the radius of the corner of one parking space is only 5' from the right-of-way line. As such, staff opines that this encroachment is minimum and does create any negative visual impact to the surrounding properties. As such, staff recommends approval with conditions of request #5 under Section 33-311(A)(4)(b).

H. **RECOMMENDATION:**

Approval with conditions.

**I. CONDITIONS:**

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Divine Mercy-House Of Prayer". As prepared by David J. Cabrocas/Architect dated stamped received 03/21/11, with Sheet L-1 dated handwritten revision 04/14/11, consisting of 4 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from, and promptly renew the same annually with, the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That buffering be provided along the east property line, in the form of a hedge not less than 4' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to the issuance of the Certificate of Use for the religious facility.

**DATE INSPECTED:**

**DATE TYPED:** 05/24/11

**DATE REVISED:** 05/27/11

**DATE FINALIZED:**

MCL:GR:NN:TA:AN

For   
\_\_\_\_\_  
Marc C. LaFerrier, AICP, Director  
Miami-Dade County Department of  
Planning and Zoning *NBN*

# Memorandum

**Date:** March 31, 2011  
**To:** Marc C. LaFerrier, AICP, Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management



**Subject:** C-10 #Z2010000105-3<sup>rd</sup> Revision  
Life Church of South Florida, Inc.  
4101 S.W. 85<sup>th</sup> Avenue  
Modification of a Previous Plan, To Permit a Religious Facility Setback  
Less than Required from Property Lines, To Permit Off Street Parking to  
be Located within 25' of all Right-of-Ways and to Waive the Dissimilar  
Land use Buffer  
(RU-1) (.88 Acres)  
22-54-40

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The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Wellfield Protection

The subject property is located within the Wellfield Protection Area of the Alexander Orr Wellfield. The site is situated within the average day travel time contour of the Alexander Orr Wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code.

Pursuant to Section 24-43(5) of the Code, hazardous wastes are prohibited within the Average Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Furthermore, the subject property has a covenant running with the land in favor of Miami-Dade County prohibiting hazardous wastes on the property.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can

be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development plans shall comply with the requirements of Section 11C of the County Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

#### Wetlands

The subject properties do not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Tree Preservation

The subject properties contain tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

#### Enforcement History

DERM has found no open or closed enforcement records for the subject property.

#### Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP

for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: LIFE CHURCH OF SOUTH FLORIDA, INC

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

08-APR-11

# Memorandum



**Date:** 08-APR-11  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000105

**Fire Prevention Unit:**

This memo supersedes MDFR memorandum dated February 22, 2011.

**APPROVAL**

MDFR has no objection to Site Plan date stamped March 21, 2011. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project the proffered site plan must adhere to corresponding MDFR requirements.

**Service Impact/Demand:**

Development for the above Z2010000105  
 located at 4101 S.W. 85 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1592 is proposed as the following:

N/A	dwelling units	N/A	square feet
<u>residential</u>		<u>industrial</u>	square feet
N/A	square feet	11,084	square feet
<u>Office</u>		<u>institutional</u>	
N/A	square feet	N/A	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 7.43 alarms-annually.  
 The estimated average travel time is: 4:32 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:

Station 3 - Tropical Park - 3911 SW 82 Avenue.  
 Rescue, ALS Engine.

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:

None.

**Fire Planning Additional Comments**

Current service impact calculated based on plans date stamped March 21, 2011. Substantial changes to the plans will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 16-JUN-11

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND  
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

LIFE CHURCH OF SOUTH  
FLORIDA, INC

4101 S.W. 85 AVENUE, MIAMI-  
DADE COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

---

Z2010000105

---

HEARING NUMBER

**HISTORY:**

Folio # 3040220060020

OPEN CASES:

Neighborhood Compliance  
None

Building  
None

PREVIOUS CASES:

Neighborhood Compliance  
None

Building  
None

Folio# 3040220060030

OPEN CASES:

Neighborhood Compliance  
None

Building  
None

**PREVIOUS CASES:**

Neighborhood Compliance  
None

Building  
None

NONE

**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

N/A

**REPORTER NAME:**

L. Cuellar

# ZONING INSPECTION REPORT

**Inspector:** MARTINEZ, RAMIRO

**Inspection Date:**

**Evaluator:** CARL HARRISON

06/02/11

**Process #:** Z2010000105  
**Applicant's Name:** LIFE CHURCH OF SOUTH FLORIDA, INC

**Locations:** 4101 S.W. 85 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

**Size:** 0.88 ACRE

**Folio #:** 3040220060030

**Request:**

- 1 S.E. to permit a religious facility and a parsonage residence.
- 2 RESCIND AND REVOKE Resolution 3-ZAB-251-65, last modified by Resolution 3-ZAB-296-86, both passed and adopted by the Zoning Appeals Board, only as it applies to subject property.

The purpose of request #2 is to allow the applicant to delete all resolutions and corresponding conditions for a parking lot, outdoor recreational uses and pavillion in connection with a previously approved church, day nursery and kindergarten use.

3 Applicant is requesting to permit the religious facility setback varying from 15' to 28'4" (50' required) from the interior side (south) property line and spaced less than 75' from adjacent residence to the south.

4 Applicant is requesting to permit parking within 25' on an official rights-of-way (not permitted).

5 Applicant is requesting to permit a minimum 5' wide greenbelt (7' required) along a portion of the right-of-way.

**EXISTING ZONING**

**Subject Property** RU-1,

**EXISTING USE**

**SITE CHARACTERISTICS**

**STRUCTURES ON SITE:**

THERE IS AN OPEN SIDED STRUCTURE AND A BASKETBALL COURT ON THE SUBJECT PROPERTY.

**USE(S) OF PROPERTY:**

THE SUBJECT PROPERTY WAS UTILIZED IN CONNECTION WITH A CHURCH USE FOR RECREATIONAL PURPOSES AND OFF-STREET PARKING.

**FENCES/WALLS:**

THERE IS A 6 FT CHAIN LINK FENCE ALONG THE PERIMETER OF SUBJECT PROPERTY.

**LANDSCAPING:**

THERE IS CURRENTLY NO LANDSCAPING ON THE PROPERTY.

**BUFFERING:**

THERE IS CURRENTLY NO BUFFERING ELEMENT ON THE PROPERTY.

**VIOLATIONS OBSERVED:**

THERE ARE NO VIOLATIONS OR ANY OPEN ENFORCEMENT CASES ON THE PROPERTY. THE SUBJECT PROPERTY HAS AN OLD CARD FILE WHICH CONNECTED THE USE TO A PREVIOUS CHURCH USE. THAT CHURCH USE IS NO LONGER IN OPERATION.

**OTHER:**

# ZONING INSPECTION REPORT

**Process #    Applicant's Name**

Z2010000105    LIFE CHURCH OF SOUTH FLORIDA, INC

## **SURROUNDING PROPERTY**

### **NORTH:**

RU-2, BU-1A; DUPLEXES & COMMERCIAL.

### **SOUTH:**

RU-1; SINGE FAMILY HOMES.

### **EAST:**

RU-1; SINGLE-FAMILY HOMES.

### **WEST:**

BU-1A; SHOPPING CENTER.

## **SURROUNDING AREA**

THE SUBJECT PROPERTY IS SURROUNDED BY A LARGE SHOPPING CENTER TO THE WEST, DUPLEXES & COMMERCIAL DEVELOPMENT TO THE NORTH, AND RESIDENCES TO THE EAST AND SOUTH.

## **NEIGHBORHOOD CHARACTERISTICS:**

THE AREA IS CHARACTERIZED BY RESIDENTAIL AND COMMERCIAL USES.

## **COMMENTS:**

Inspector **MARTINEZ, RAMIRO**

Evaluator **CARL HARRISON**

Process Number: **Z2010000105** Applicant Name **LIFE CHURCH OF SOUTH FLORIDA, INC**



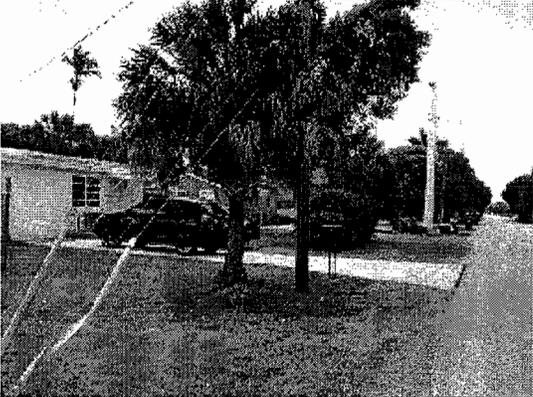
Date: 02-JUN-11

Comments: SOUTHEAST VIEW OF SUBJECT PROPERTY.



Date: 02-JUN-11

Comments: RU-2 DUPLEXES & BU-1A COMMERCIAL USES LOCATED TO THE NORTH OF SUBJECT PROPERTY.



Date: 02-JUN-11

Comments: RU-1 HOMES LOCATED TO THE SOUTH OF SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

Evaluator **CARL HARRISON**

Process Number: **Z2010000105** Applicant Name **LIFE CHURCH OF SOUTH FLORIDA, INC**



Date: 02-JUN-11

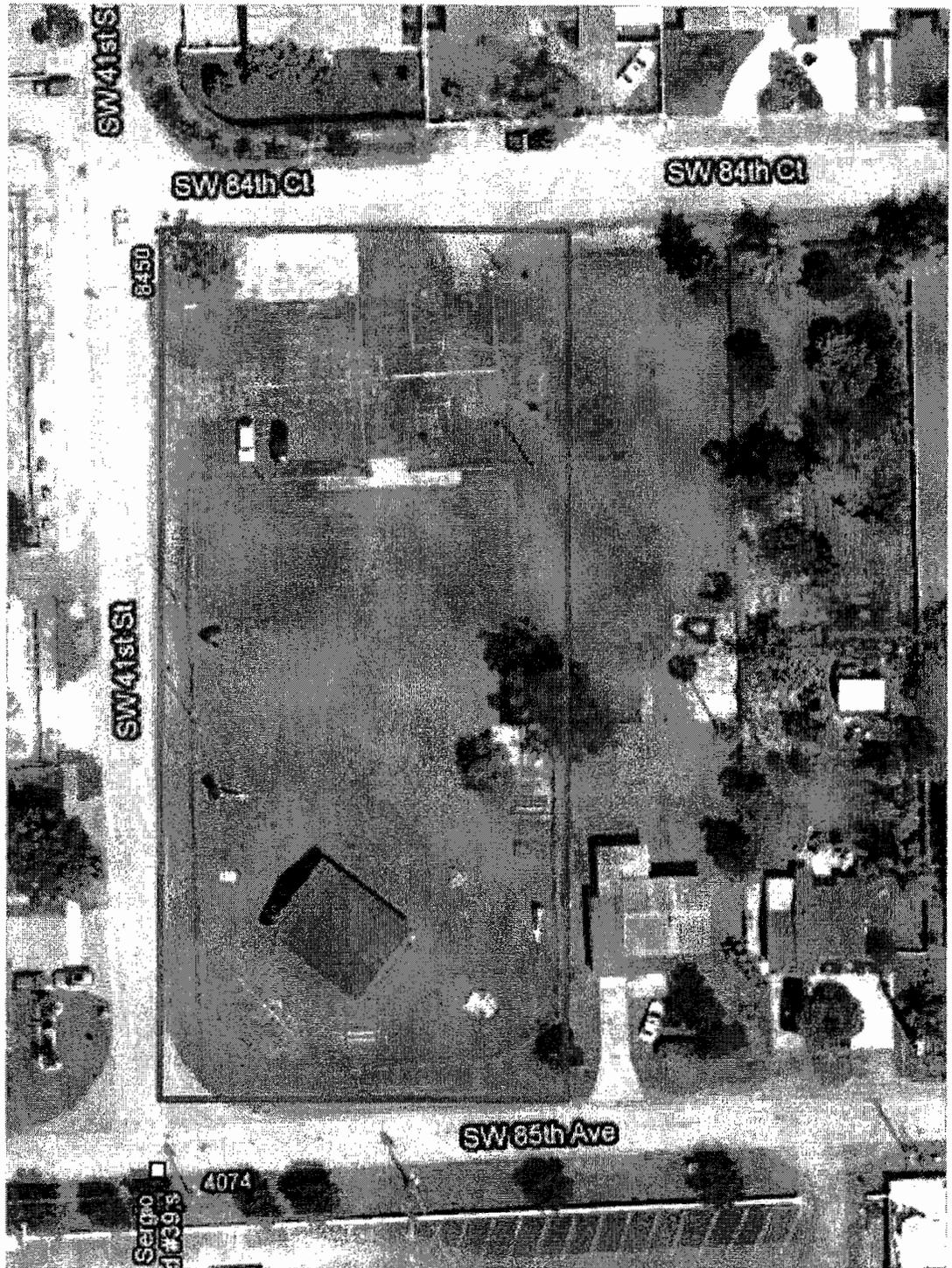
Comments: RU-1 HOMES LOCATED TO THE EAST OF SUBJECT PROPERTY.



Date: 02-JUN-11

Comments: BACK ALLEY OF SHOPPING CENTER LOCATED TO THE WEST OF SUBJECT PROPERTY.

LOT LOCATION



DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Life Church of South Florida, Inc., a Florida non profit corporation formerly known as Bird Road Baptist Church, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Reverend David F. Mayoral, President, 5340 SW 88 Court, Miami, FL 33165	
Ms. Miriam Mayoral, Vice-President, 5340 SW 88 Court, Miami, FL 33165	
Ms. Patricia Fulton, Secretary, 5340 SW 88 Court, Miami, FL 33165	
Mr. Noel Betancourt, Treasurer, 5340 SW 88 Court, Miami, FL 33165	

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<i>Z10-105</i>	
<i>J&amp;K</i>	

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: Apostolate of Divine Mercy, Inc., a Florida Non Profit Corporation

<u>NAME AND ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Stock</u>
Director: Ms. Dulce M. de los Reyes, 5750 SW 45 Terrace, Miami, FL 33155	
President/Director: Rafael A. de los Reyes, 5750 SW 45 <sup>th</sup> Terrace, Miami, FL 33155	
Secretary/Director: Jorge Almirall, 10305 SW 26 Terrace, Miami, FL 33165	
Treasurer/Director: Jose E. Fuentes, 8950 SW 156 Street, Miami, FL 33157	
Director: Mercy Martinez, 1275 SW 107 Ave., #309, Miami, FL 33174	

Date of contract: \_\_\_\_\_

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *David F. Mayoral*  
Rev. David F. Mayoral, as President for Life Church of South Florida, a Florida non profit corporation f/k/a Bird Road Baptist Church, Inc.  
(Applicant)

210-105

Sworn to and subscribed before me this 30 day of JULY, 2010, produced \_\_\_\_\_ as identification.

Affiant is personally known to me or has

*Patricia T. Fulton*  
(Notary Public)

NOTARY PUBLIC-STATE OF FLORIDA  
PATRICIA T. FULTON  
Commission # DD596345  
Expires: SEP 18, 2010

My commission expires: SEPT. 18, 2010

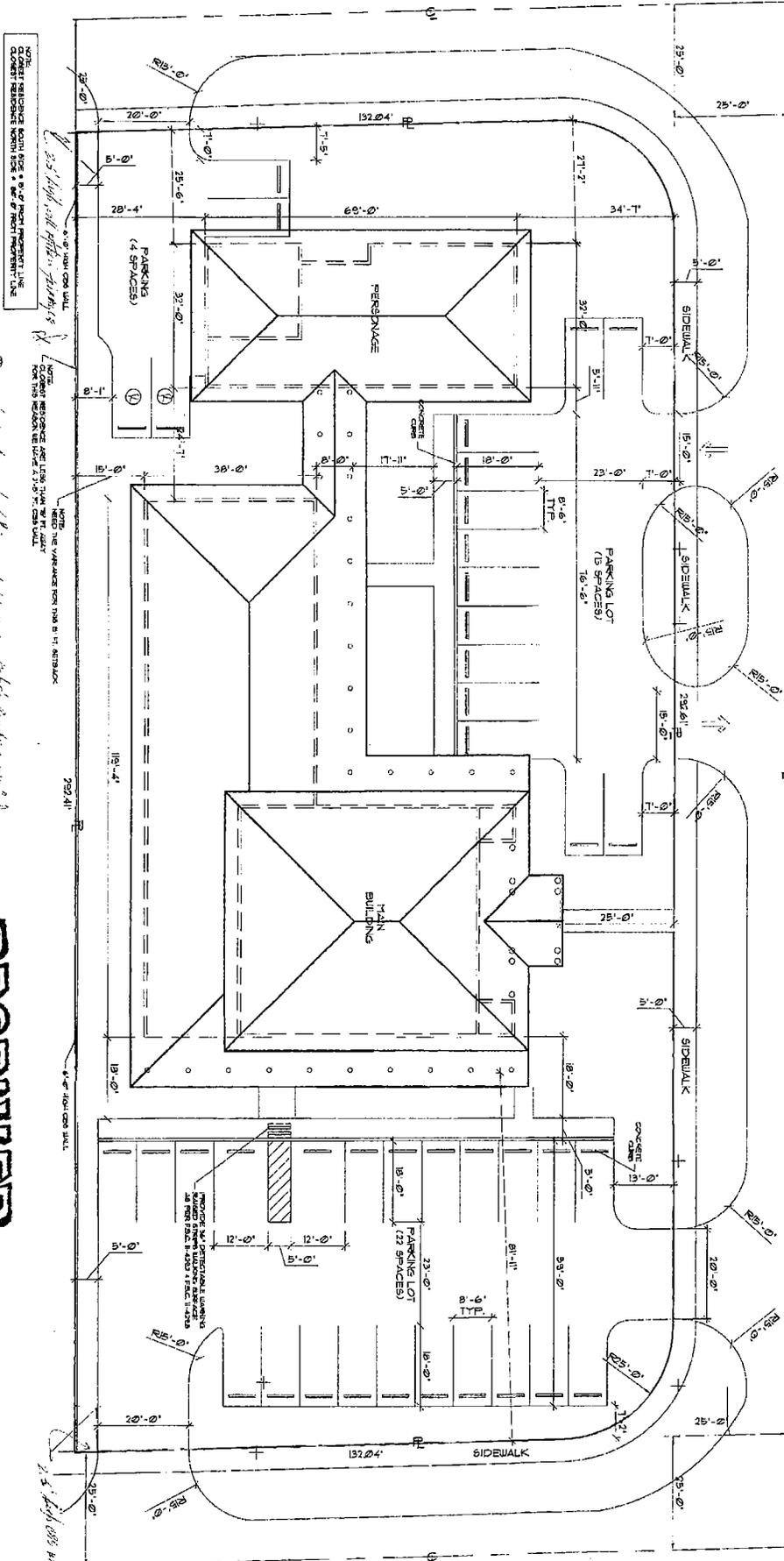
Seal

\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

S.W. 85 AVENUE

S.W. 40 TERRACE

S.W. 84 COURT



NOTE: ALL DIMENSIONS SHOWN ARE TO FACE UNLESS OTHERWISE NOTED.  
 DIMENSIONS TO FACE OF BUILDING FOOTPRINTS.

① - 5' or 10' setback required depending on whether structure is over 10' or 20' high.

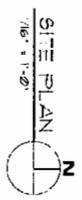
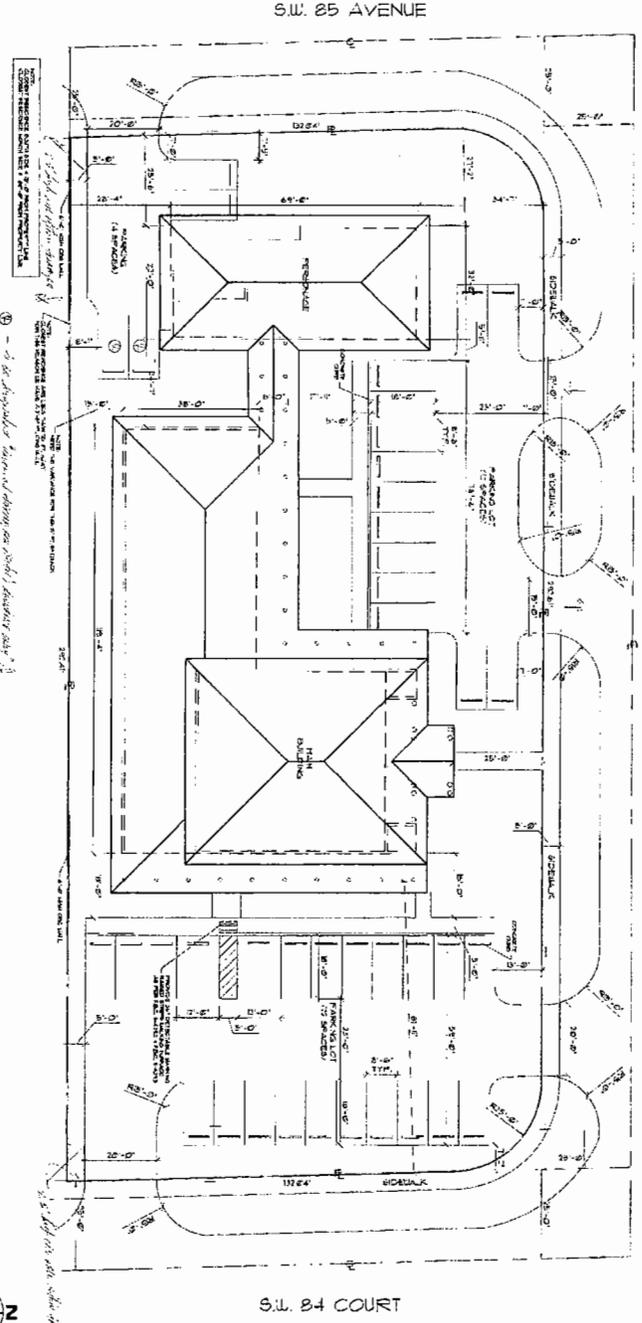
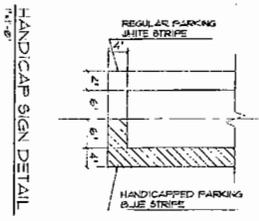
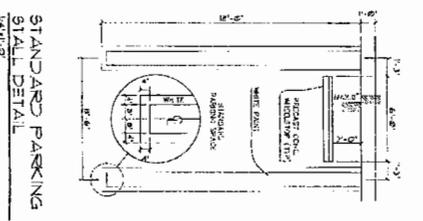
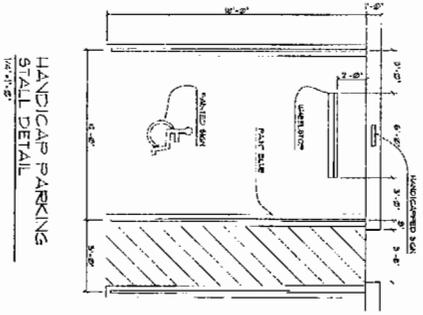
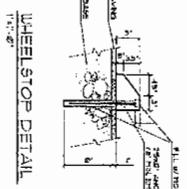
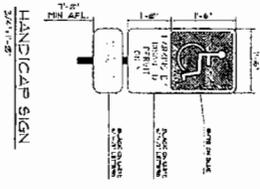
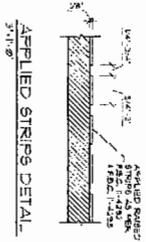
② - 5' or 10' setback required depending on whether structure is over 10' or 20' high.

**RECEIVED**  
 210-108  
 MAR 21 2011

SITE PLAN

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY   
 ENLARGED SITE PLAN

RECEIVED  
 DIVINE MERCY HOUSE OF PRAYER  
 3/21/11 10:53 AM



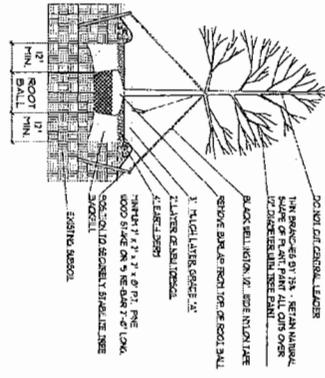
**ZONING INFORMATION:**  
 ZONING DISTRICT: R-1  
 FLOOD ZONE: X  
 USE: PLACE OF WORSHIP  
 NET LOT AREA: 36624.63 SQ. FT.  
 GROSS LOT AREA: 53787.45 SQ. FT.  
 GROSS FLOOR AREA: 11564.48 SQ. FT.  
 FOOTPRINT PROVIDED: 11811.294 SQ. FT.  
 SETBACKS: PROVIDED  
 FRONT: 25'-0"  
 SIDES: 25'-0"  
 REAR: 81'-11" & 71'-3"  
 GENERAL REQUIREMENTS: 15'-0"  
 GENERAL REQUIREMENTS: 15'-0"  
 ASSEMBLY CHURCHES: 15'-0"  
 SEATING AREA (SANCTUARY): 2660 SQ. FT. / 202 SQ. FT. = 26 SEATINGS REQUIRED  
 RESIDENTIAL AREA: SINGLE-FAMILY: 2 SPACES  
 TOTAL PARKING PROVIDED: 28 SPACES

**RECEIVED**  
 2-10-105  
 MAR 21 2011

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY: *AD*  
 ENLARGED SITE PLAN

SHEET OF	A-1 3	REVISIONS		DATE:	3/27/2011
		DATE:	3/27/2011	30752616	
DIVINE MERCY - HOUSE OF PRAYER SW 40 TERRACE, MIAMI, FLORIDA		DAVID J. CABARROCAS / ARCHITECT - AR - 0004356		4048 EL PRADO BOULEVARD COCONUT GROVE, FLORIDA 33133	
				DRATOR:	00
				CHECKED:	
				DATE:	3/27/2011
				PHONE:	(305) 661-9597

24



3 TYPICAL TREE PLANTING DETAIL

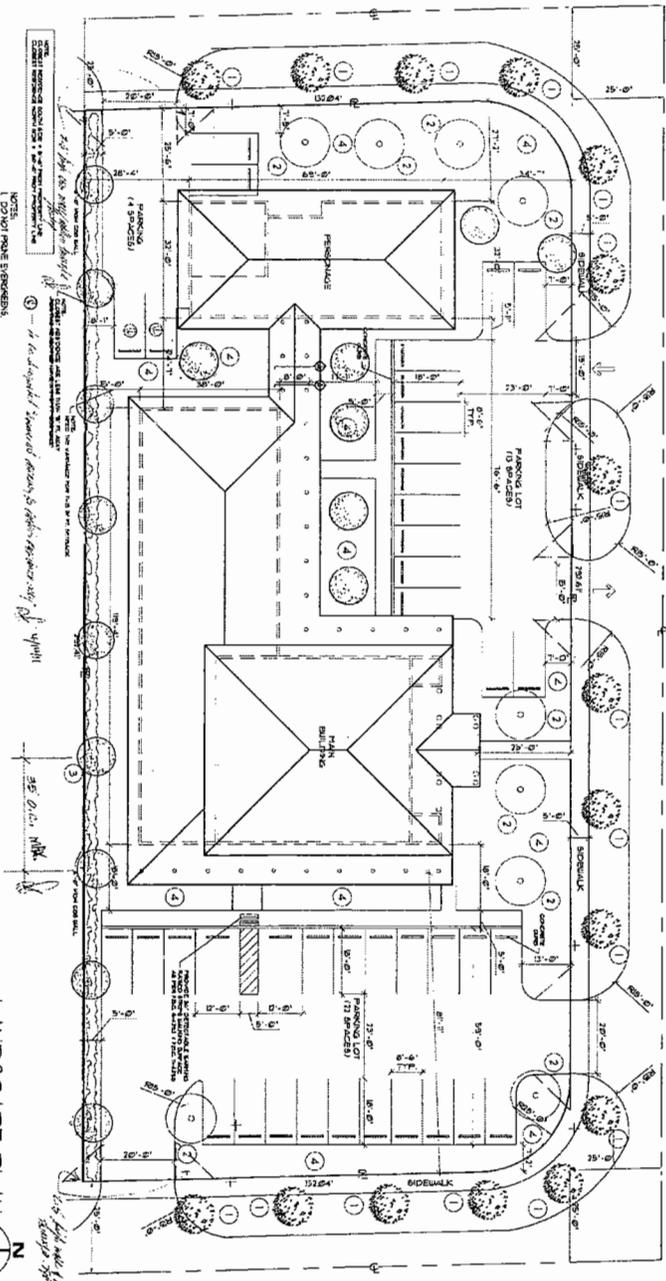
**LANDSCAPE LEGEND**

SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
2	PLANTING DETAIL	1	SEE DETAIL 3
3	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
4	PLANTING DETAIL	1	SEE DETAIL 3
5	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
6	PLANTING DETAIL	1	SEE DETAIL 3
7	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
8	PLANTING DETAIL	1	SEE DETAIL 3
9	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
10	PLANTING DETAIL	1	SEE DETAIL 3

**LANDSCAPE LEGEND**

SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
2	PLANTING DETAIL	1	SEE DETAIL 3
3	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
4	PLANTING DETAIL	1	SEE DETAIL 3
5	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
6	PLANTING DETAIL	1	SEE DETAIL 3
7	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
8	PLANTING DETAIL	1	SEE DETAIL 3
9	DO NOT CUT CENTRAL LEADERS	1	1/4\"/>
10	PLANTING DETAIL	1	SEE DETAIL 3

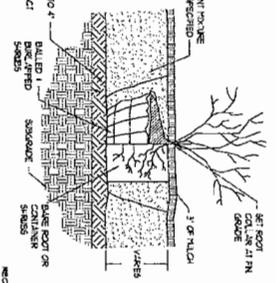
S.W. 85 AVENUE



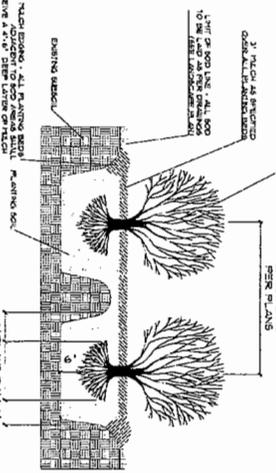
S.W. 40 TERRACE

S.W. 84 COURT

1 SHRUB PLANTING



2 TYPICAL SHRUB PLANTING DETAIL



LANDSCAPE PLAN

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DAVID J. CABARROCA ARCHITECT  
MAY 21 2010

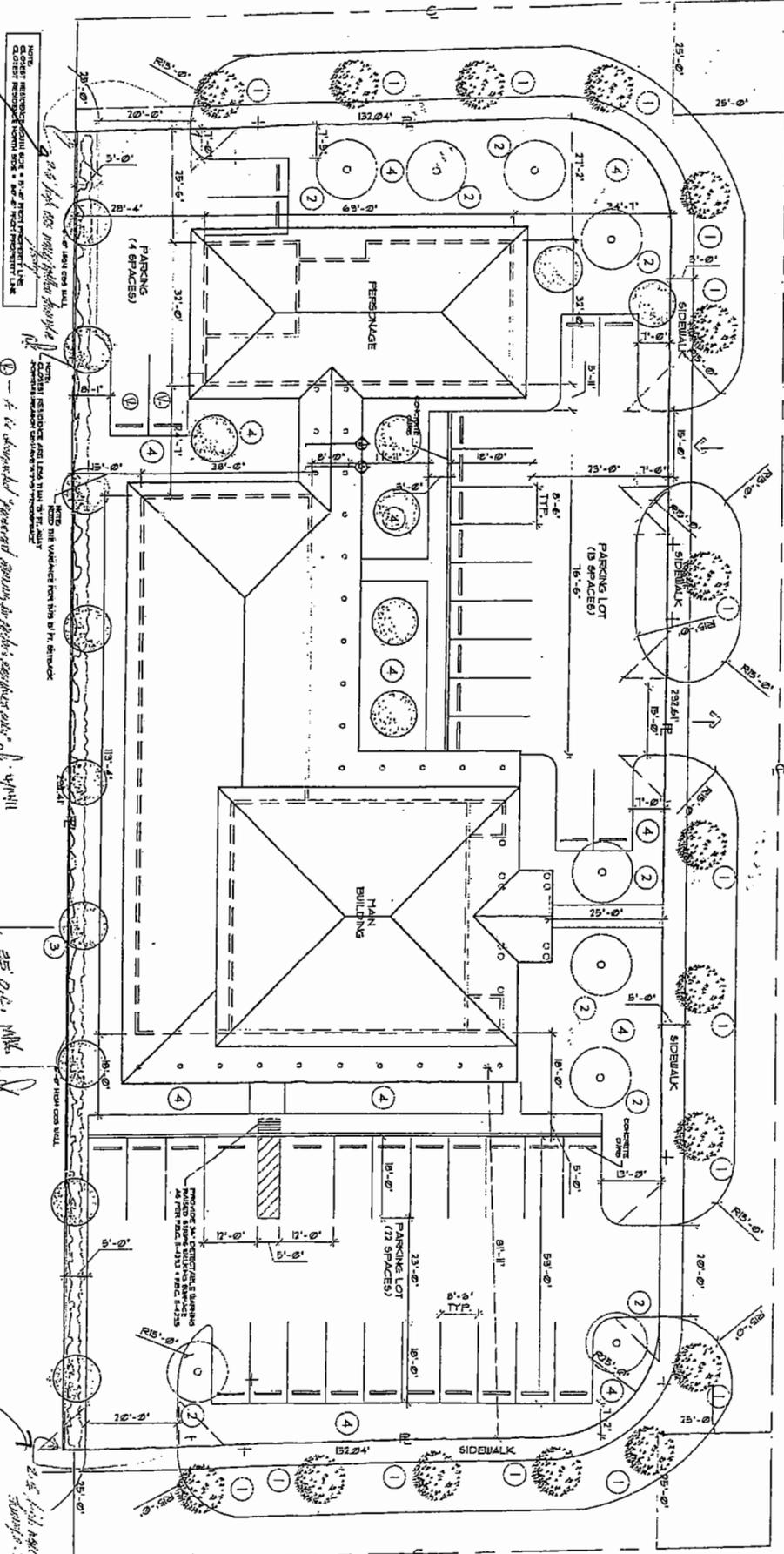
SHEET L-1	DIVINE MERCY - HOUSE OF PRAYER SW 40 TERRACE, MIAMI, FLORIDA DAVID J. CABARROCA / ARCHITECT - AR - 0004356	REVISIONS		DRAWN	CONVD.
		CHECKED.	DATE	DATE	DATE
		4086 EL PRADO BOULEVARD COCONUT GROVE, FLORIDA 33133		(305) 661-9597	

25

S.W. 85 AVENUE

S.W. 40 TERRACE

S.W. 84 COURT



reads:  
 "2.5' height  
 cbs wall/ hedge  
 within trough"

- NOTES:
1. DO NOT PRUNE EVERGREENS, EXCEPT TO REMOVE DEAD AND BROKEN BRANCHES.
  2. TRIM BRANCHES AND FOLIAGE NOT ALL BROKEN TRIM BY 1/2" REMAINING NORMAL PLANT SHEET EXCEPT EVERGREENS.
  3. ALL PLANTS MUST BE INSTALLED IN CEILING OR WITHIN 1/2" OF PLANT SPECIFICATION.

reads: "to be distributed reserved parking for patrons only"

LANDSCAPE PLAN  
 1/8" = 1'-0"

reads:  
 "2.5' high wall & hedge  
 within trough"

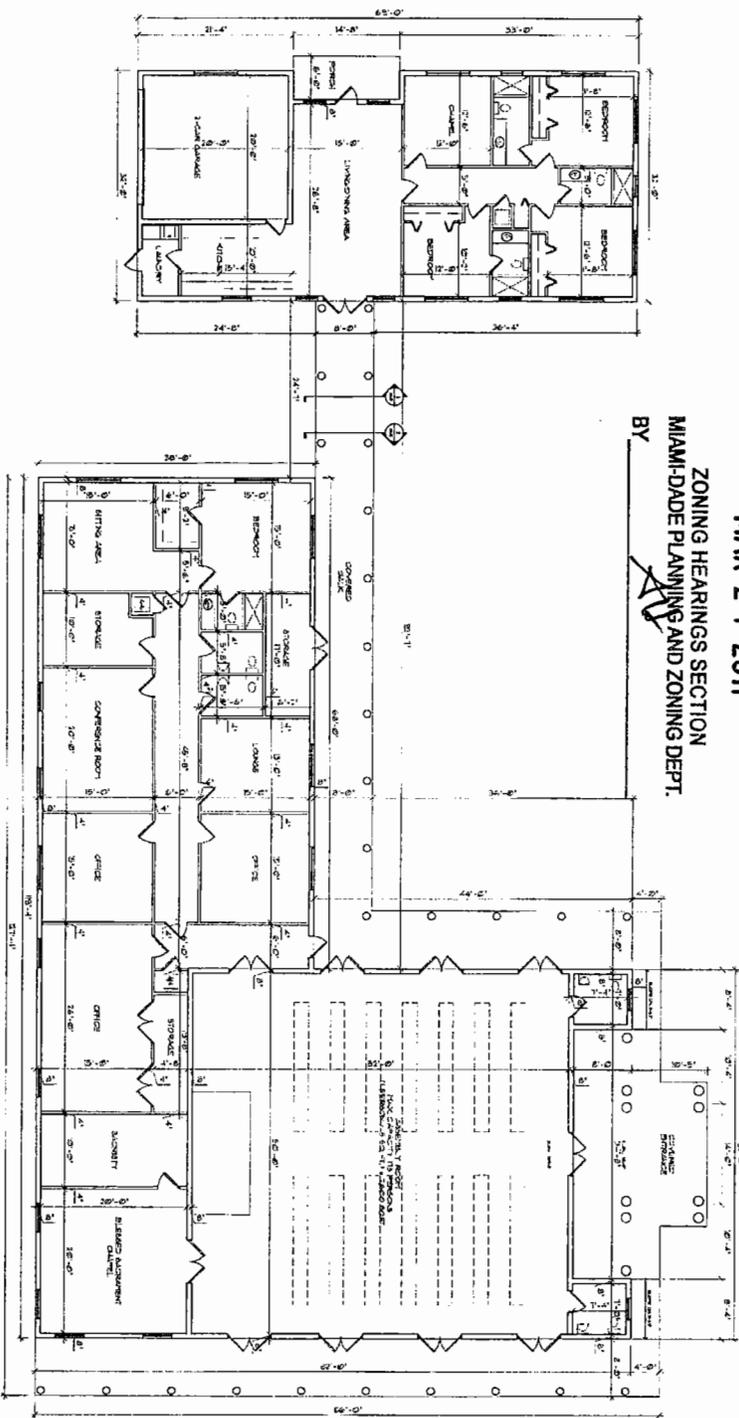
enlarged L-1

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 210-10  
 MAR 21 2011

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *[Signature]*

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 2/10/105  
 MAR 21 2011

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *[Signature]*



FLOOR PLAN  
 1/8" = 1'-0"  
 N

**PROFESSIONAL ARCHITECT**  
 DAVID J. CABARROCAS  
 ARCHITECT  
 1000 S.W. 15TH AVENUE  
 MIAMI, FLORIDA 33135  
 (305) 661-8597

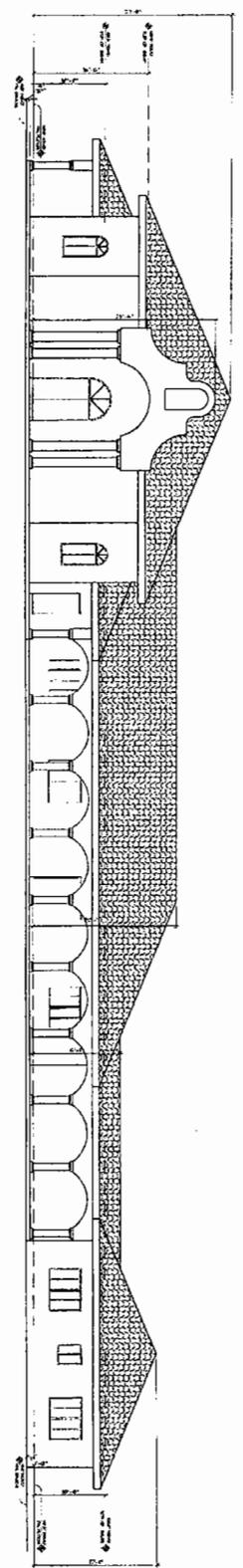
*[Handwritten Signature]*

DIVINE MERCY - HOUSE OF PRAYER  
 SW 40 TERRACE, MIAMI, FLORIDA

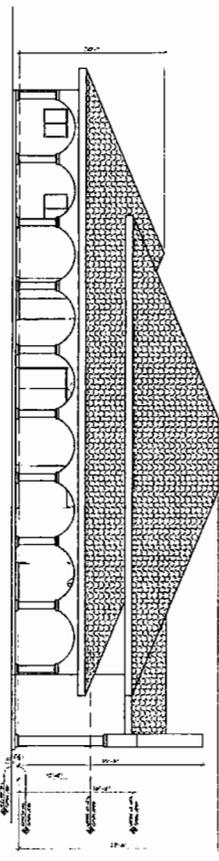
DAVID J. CABARROCAS / ARCHITECT - AR - 0004356

REVISIONS		DRAWN	DATE
		DC	07/16/2010
		CHECKER	
4688 EL PRADO BOULEVARD COCONUT GROVE, FLORIDA 33133		(305) 661-8597	

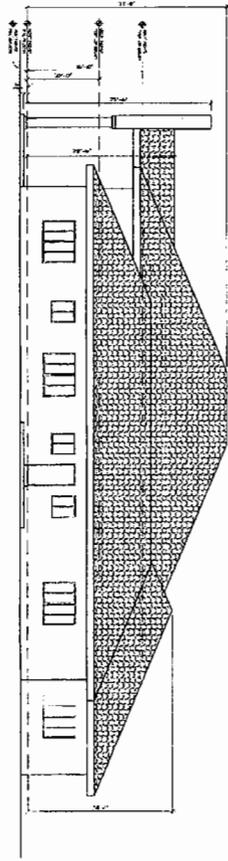
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 MAR 21 2011  
 MIAMI-DADE PLANNING AND ZONING DEPT.



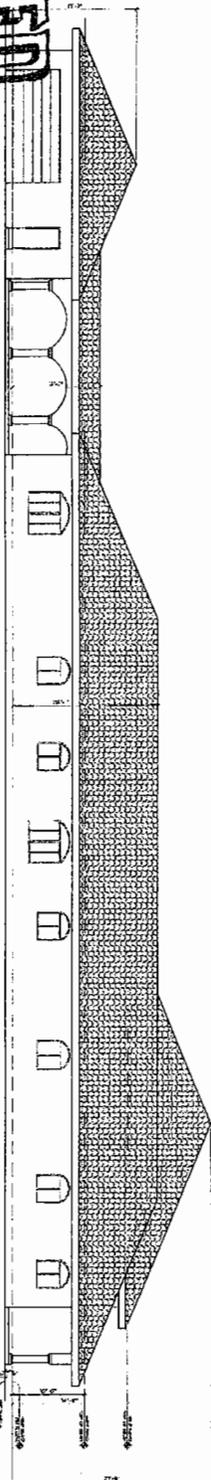
FRONT ELEVATION (NORTH)  
 1/8" = 1'-0"



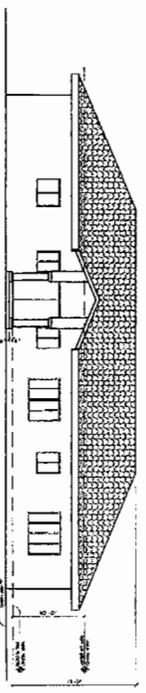
RIGHT SIDE ELEVATION (EAST)  
 1/8" = 1'-0"



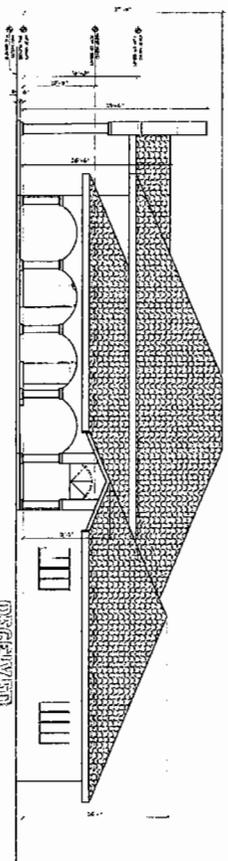
LEFT SIDE ELEVATION (WEST)  
 1/8" = 1'-0"



REAR ELEVATION (SOUTH)  
 1/8" = 1'-0"



SECTION 1  
 1/8" = 1'-0"



SECTION 2  
 1/8" = 1'-0"

**RECEIVED**  
 210.105  
 MAR 21 2011

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *AV*

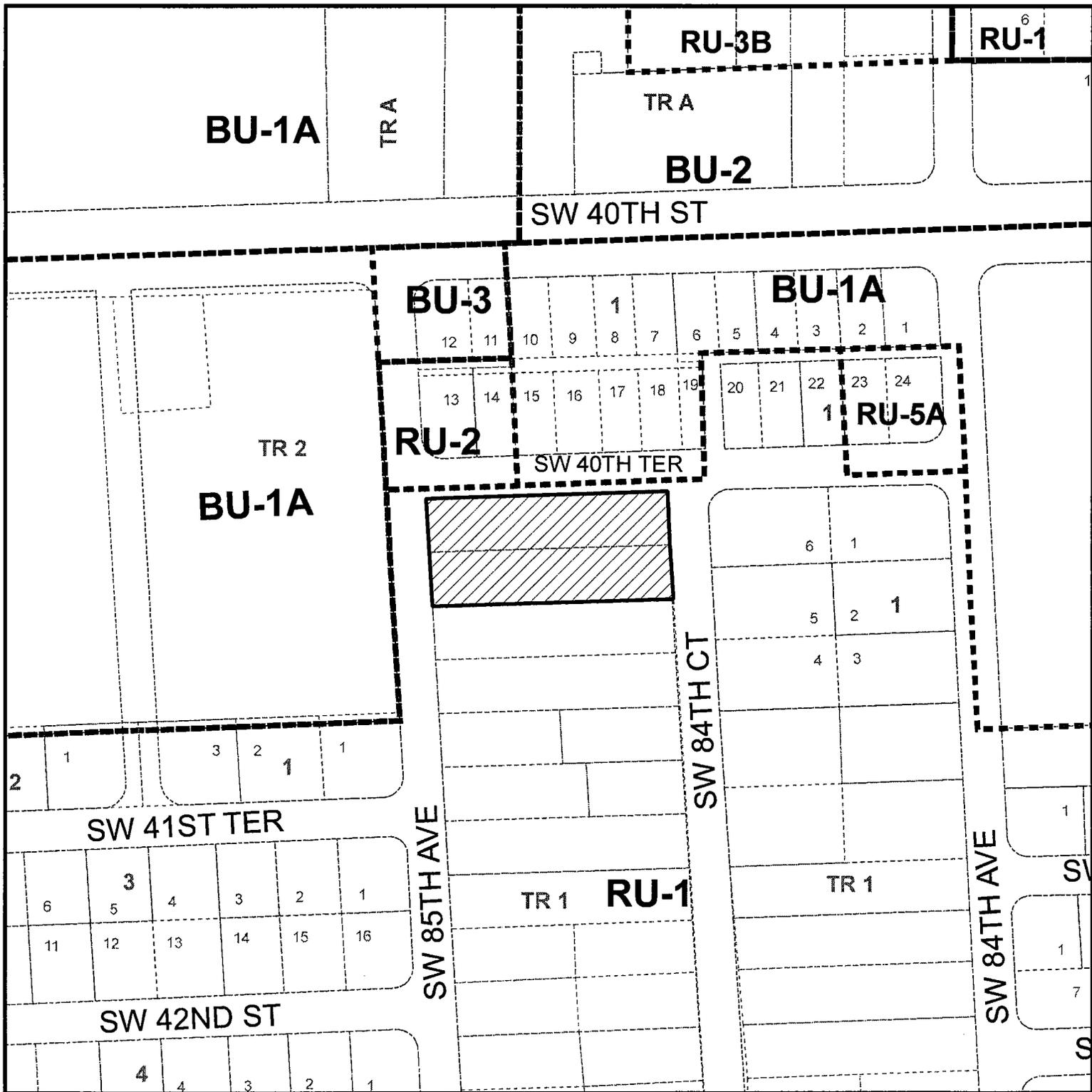
DIVINE MERCY - HOUSE OF PRAYER  
 SW 40 TERRACE, MIAMI, FLORIDA

DAVID J. CABARROCAS / ARCHITECT - AR - 0004356

REVISIONS		DATE	BY

3  
 A-3

28



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000105**



Section: 22 Township: 54 Range: 40  
 Applicant: LIFE CHURCH OF SOUTH FLORIDA, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: KEELING  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		29



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number  
**Z2010000105**



Section: 22 Township: 54 Range: 40  
 Applicant: LIFE CHURCH OF SOUTH FLORIDA, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: KEELING  
 Scale: NTS

Legend  
 Subject Property



SKETCH CREATED ON: Tuesday, August 17, 2010

REVISION	DATE	BY

**2. HIGHPOINT ACADEMY, INC**  
**(Applicant)**

**11-7-CZ10-2 (10-148)**  
**Area 10/District 10**  
**Hearing Date: 07/07/11**

Property Owner (if different from applicant) Same.

Is there an option to purchase  /lease  the property predicated on the approval of the zoning request? Yes  No

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1955	F & R Home Building Corp.	- Special Permit for community facilities.	BCC	Approved
1960	F & R Home Building Corp.	- To wit a private club, restaurant and bar within a community center.	ZAB	Approved w/conds.
1969	Richard A Sayre	- Unusual Use to permit and continue kindergarten, day nursery and summer camp.	C04	Approved w/conds.
1982	Cosme & Alicia De La Torriente	- Rescind resolution #5515. - Special Exception to permit a private school. - Non-Use Variance for setbacks, parking and size of sign.	C04	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

**APPLICANT:** Highpoint Academy, Inc.

**PH:** Z10-148 (11-7-CZ10-2)

**SECTION:** 13-54-39

**DATE:** July 7, 2011

**COMMISSION DISTRICT:** 10

**ITEM NO.:** 2

=====

**A. INTRODUCTION**

o **SUMMARY OF REQUESTS:**

The approval of this application will allow the applicant to modify conditions of a prior resolution which would allow the applicant to submit revised site plans for the existing school to now include modular and prefabricated buildings, a basketball court and a smaller outdoor recreation area. The applicant seeks to also allow the additions with variances to the zoning regulations. Additionally, the applicant seeks to increase the number of grades, reduce the number of students and teachers in the previously approved school.

o **REQUESTS:**

(1) SPECIAL EXCEPTION to permit an existing private school with the addition of grades 7 and 8 (day nursery, kindergarten, summer camp and grades 1-6 previously approved).

(2) MODIFICATION of condition #3 of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982, reading as follows:

FROM: 3" That the use be established and maintained in accordance with the approved plan."

TO: 3" That the use be established and maintained in accordance with the approved plan entitled, "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., sheet A100 dated stamped received 4/28/11, L100 dated stamped received November 29, 2010, and the remaining 4 sheets dated stamped received September 20,2010, for a total of 6 sheets."

(3) MODIFICATION of Conditions #4, #8 and #10 of Resolution No. 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board, on the 14<sup>th</sup> day of April 1982, reading as follows:

FROM: "4. That the use be approved and restricted to a maximum of 245 students."

TO: "4. That the use be approved and restricted to a maximum of 237 students."

FROM: "8. That the number of grades will be from pre-school to 6 grade."

TO: "8. That the number of grades will be from pre-school to 8 grade."

FROM: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 5."

TO: "10. That the number of teachers shall not exceed 17. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8."

The purpose of Requests #2 and #3 is to permit the applicant to submit revised plans and show the reduction in the number of students, the addition of grades 7 and 8 to the private school, and to permit a reduction in the number of teachers and an increase in the number of administrative and clerical personnel.

- (4) Applicant is requesting to permit a classroom space of 6,488 SF (7,365 SF minimum required).
- (5) Applicant is requesting to permit the proposed modular building to setback 7'-6" (50' minimum required) from interior side (east) property line.
- (6) Applicant is requesting to permit an outdoor recreation area of 54,683 SF (65,738 SF minimum required).
- (7) Applicant is requesting to permit a prefabricated storage building addition to classroom #2 to setback 8.35' (50' required) from the interior side (east) property line.
- (8) Applicant is requesting to permit the existing basketball court setback 34' (75' required) from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' (7.5' required) from the interior side (west) property line

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

o **LOCATION:**

12101 SW 34 Street, Miami-Dade County, Florida.

o **SIZE:** 2.52 Acres

**B. ZONING HEARINGS HISTORY:**

In July 1960, pursuant to resolution #5515, the subject property was approved for a Special Permit to allow a community facility to include, swimming pool and tennis courts among other things. Subsequently, in October 1960, pursuant to resolution #ZB-133-60, the subject property was approved to allow a private club and restaurant use within the community center. In 1969, the subject parcel was approved to allow a kindergarten and

day nursery as well as the continued use of a summer camp pursuant to Resolution #4-ZAB-459-69. In April 1982, pursuant to Resolution #4-ZAB-119-82, the Zoning Appeals Board rescinded Resolution #5515 on the subject property and approved the existing private school on the subject property with conditions.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:**

1. *The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded..*
2. **Residential Communities.** *The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including **schools**, parks, **houses of worship**, **daycare centers**, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships*
3. *Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.*
4. *All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.*
5. **Policy LU-4A** *of the Land Use Element states that when evaluating compatibility among proximate land uses, the County shall consider such factors as **noise**, lighting, shadows, glare, vibration, odor, runoff, access, **traffic**, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*
6. **Policy LU-4D** *of the Land Use Element states that uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements*

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

**Subject Property:**

RU-1; private school, daycare and summer camp

Low Density Residential, 2.5 to 6 du

**Surrounding Properties:**

NORTH: RU-1; single-family residence,

Low Density Residential, 2.5 to 6 du

SOUTH: RU-1; single-family residences

Low Density Residential, 2.5 to 6 du

EAST: RU-1; Miami-Dade Park facility

Low Density Residential, 2.5 to 6 du

WEST: RU-1; Miami-Dade Park facility

Low Density Residential, 2.5 to 6 du

**E. PERTINENT ZONING REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(3) Special Exceptions, Unusual and New uses.** *The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.*

**33-311(A)(7) Generalized Modification Standards.** *The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.*

**Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.** *Upon appeal or direct application in specific cases, the Board shall hear and grant*

*applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*

**F. NEIGHBORHOOD SERVICES PROVIDER COMMENTS:**

DERM	<b>No objection*</b>
Public Works	<b>No objection*</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comments</b>

\*Subject to the conditions indicated in their memoranda.

**G. PLANNING AND ZONING ANALYSIS :**

Approval of this application will allow the applicant to permit an existing day nursery and a private school to include grades 7 through 8. Additionally, the applicant seeks to modify conditions of a prior Resolution in order to submit revised plans showing additional classroom and storage. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this area for **Low Density Residential** use. Said Land Use permits *neighborhood and community services including **schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood.*** Staff notes that the interpretative text of the CDMP states that existing lawful residential and non-residential uses are not specifically depicted on the LUP map and that all such lawful uses are deemed to be consistent with the section of the CDMP entitled, "Concepts and Limitations of the Land Use Plan Map". As such, staff is of the opinion that the existing private school, kindergarten and day nursery were previously approved pursuant to prior resolutions, which are the subject of requests #2 through #3, and as such are **consistent** with the CDMP. Further, **Policy LU-4A** of the Land Use Element states that *when evaluating compatibility among proximate land uses, the County shall among other things consider such factors as noise, lighting, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation and buffering.* Additionally, **Policy LU-4D** of said Land Use Element, states that *uses that are potentially incompatible shall be permitted only where proper design solutions can and will be used, to among other things, buffer any potentially incompatible elements of the proposed development.* Staff opines that the existing school and proposed additions are **compatible** with the surrounding area and therefore **consistent** with **Policy LU-4A** and **Policy LU4-D** of the Land Use Element of the CDMP. As such, staff opines that the proposed redevelopment of the private school and day nursery is **consistent** with the CDMP and **compatible** with the surrounding area.

When request #1 is analyzed under Section 33-311(A)(3), Standards For **Special Exceptions**, Unusual Uses and New Uses, staff is of the opinion that the existing

educational facility is consistent with the LUP map of the CDMP. Further, staff opines that approval of the additional two (2) grades while reducing the number of students will not have a negative aural and visual impact on the surrounding residential communities and therefore would be **compatible** with same when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned and the compatibility of the applied for exception and use with the area and its development. Staff notes that DERM, MDFRD and the Public Works Department, do not object to this application. However, the Public Works Department memorandum indicates that their approval is subject to numerous conditions. Staff opines that approval of the request, with conditions, would not have a negative visual and aural impact on the surrounding area because there would be a reduction in the number of students. As such, staff is of the opinion that the approval of this request would be **compatible** with the area. Therefore, staff recommends approval with conditions of request #1 under Section 33-311(A)(3) (Special Exceptions, Unusual Uses and New Uses).

When requests #2 and #3, to allow the applicant to submit a revised site plan showing the proposed redevelopment of the site to include the modular building and storage room additions and to increase the number of grade levels, reduce the number of students and change the number of educational and administrative staff for the existing private school, kindergarten and day nursery are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that approval of said requests would not have a negative visual and aural impact on the surrounding residential developments, and would be **compatible** with same. As previously noted, the Public Works Department, DERM and the MDFRD do not object to these requests. Staff notes that the encroachments shown in the revised plans, are located on the interior sides (east and west) property lines abutting two (2) public parks. Therefore, staff opines that although the application seeks to increase the intensity in the physical development of the site with additional buildings and additional grades, approval will not result in an increased aural or visual impact on the residential properties located to the north and south of the facility. Further, staff notes that the applicant also seeks to reduce the number of children on the site. As such, when considering the necessity and reasonableness of the requested modification in relation to the present and future development of the area concerned, staff opines that the approval of requests #2 and #3 would be **compatible** with the area concerned. Staff, therefore, recommends approval with conditions of the aforementioned requests under the Generalized Modification Standards, Section 33-311(A)(7).

When requests #4 through #8 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding residential developments and the abutting parks. As depicted on the revised plans, the more intensive encroachments into the setback areas referred to in requests #5, #7 and #8, occur on the interior sides (east and west) of the subject property where it abuts two (2) public parks. As such, staff opines that approval of these requests will not have a negative visual impact on the area. Additionally, staff opines that the encroachment of the basketball courts into the front (north) setback area (request #8) will not have a negative visual or aural impact on the residences located to the north, which because of the abutting roadway are setback an additional 50' from the basketball courts, for a total of 84' spacing between the basketball courts and the residences. Staff opines that the reduced outdoor recreation area (request #6) will not have a negative impact on the surrounding area. Although the requested reduction in area of the playground is approximately 17%, the applicant's letter of intent indicates that there is an ongoing

agreement with the Miami-Dade County Parks Department to use the adjacent park for additional playground area. As such, staff opines that approval of request #6 would maintain the stability and appearance of the community and would be compatible with same. Therefore, based on the foregoing, staff recommends approval with conditions of requests #4 through #8 under Section 33-311(A)(4)(b) (NUV).

Accordingly, staff is of the opinion that the approval of proposed increase in grades for the educational facility inclusive of the day nursery, kindergarten and private school, and to modify conditions of a prior resolution to permit the reduction in the number of students, the addition of grades 7 and 8 to the private school, and to permit a reduction in the number of teachers and an increase in the number of administrative and clerical personnel, along with other variances to the zoning regulations is not overly intensive and would be **compatible** with the surrounding area and **consistent** with the interpretative text and the LUP map of the CDMP. **Staff therefore, recommends approval with conditions of request #1 under Section 33-311(A)(3) (Special Exceptions, Unusual Uses and New Uses), approval with conditions of requests #2 and #3, under the Generalized Modification Standards, Section 33-311(A)(7) and of requests #4 through #8, under Section 33-311(A)(4)(b) (NUV).**

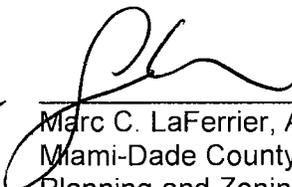
**H. RECOMMENDATION:**

**Approval with conditions.**

**I. CONDITIONS:**

1. That all the conditions of Resolution #4-ZAB-119-82, remain in full force and effect except as herein modified.
2. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
3. That the applicant comply with all applicable conditions and requirements of the Public Works Department and DERM.

**DATE TYPED:** 05/26/11  
**DATE REVISED:** 06/14/11  
**DATE FINALIZED:** 06/08/11  
MCL:GR:NN:AA:CH

for   
\_\_\_\_\_  
Marc C. LaFerrier, AICP, Director  
Miami-Dade County Department of  
Planning and Zoning *NDN*

# Memorandum



**Date:** May 18, 2011  
**To:** Marc C. LaFerrier, AICP, Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

**Subject:** C-10 #Z2010000148-1<sup>st</sup> Revision  
Highpoint Academy, Inc.  
12101 S.W. 34 Street  
Modification of a Previous Plan  
(RU-1) (2.52 Acres)  
13-54-39

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The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

Site grading and development plans shall comply with the requirements of Chapter 11C of the Miami-Dade County Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

#### Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Tree Preservation

The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

#### Enforcement History

DERM has found no open or closed enforcement records for the subject property.

#### Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review.

Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: HIGHPOINT ACADEMY, INC

This Department has no objections to this application.

Miami Dade County Public Works Department Traffic Engineering Division (TED) has no objections to this application provided the comments and recommendations, as indicated below, are adequately addressed in the site plans and related documentation, and found acceptable to TED.

The Traffic Engineering Division has reviewed the Site Plans, dated revised 04/28/2011, received by Planning and Zoning on 04/28/2011; the Traffic Operation Plan (TOP), dated 04/18/2011, for the proposed facility located at 12101 SW 34 Street and has the following recommendations and comments:

Site Plan: The Site Plan, dated revised 04/28/2011, is acceptable.

Traffic Operation Plan (TOP): The TOP dated 04/18/2011, is acceptable.

Project Requirements:

A "Declaration of Restrictions" in favor of the Miami-Dade County Public Works Department must be recorded in the Official Records of Miami-Dade County, Florida, prior to the date of the school expansion. The "Declaration of Restrictions" shall include a TOP narrative and plan that has been found acceptable by TED.

School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing signals are required along SW 34 Street adjacent to the site. A school speed zone and flashing signals will not be required, if and only if, a school policy explicitly stating that all students must be driven in motorized vehicles to the school is provided within a covenant for this facility and published as school policy. The applicant has indicated that this will be provided. If in the future, the school changes policy, then the school administration will be responsible to pay for and provide such traffic control devices.

Standard Comments:

Safe sight distance clearance is required at all exit driveways; therefore, no trees shall remain or be planted in any clear zones. No

tree foliage or branches shall descend below 7 ft within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546.

Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Should you need additional information or clarification on this matter, please contact Mr. Ricardo Gavilan at (305) 375-2030.

Additional improvements may be required at time of permitting/platting.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

10-MAY-11

**Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School**

School Name: HIGHPOINT ACADEMY, INC.

School Address: 12101 S.W. 34 STREET Tax Folio # 30 - 4913-000-0052

1. Is this an expansion to an existing school  Yes  No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_.
2. Total size of site: \_\_\_\_\_ x \_\_\_\_\_ = 109,771.20<sup>SF</sup> / 43,560 sq. ft. = 2.52 acres
3. Number of children or students requested: 237 Ages: PRE-K (AGE 2) UP TO 8<sup>TH</sup> GRADE
4. Number of teachers: 17 Number of administrative & clerical personnel: 8
5. Number of classrooms: 17 Total square footage of classroom area: 6,488 S.F.
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
3,767 S.F.
7. Amount of outdoor recreation/play area in square footage: 54,683 SF (+ ADJACENT PARKLAND)

NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility:  
SUB CONTRACTOR BUS/VAN
9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided 36 parking spaces required by §33-124(L) 25
10. Indicate the number of auto stacking spaces: 6 provided 6 required.
11. Proposed height for the structure(s): 18'-0" (EXIST) See §33-151.18(g).
12. Size of identification sign: 1.3' x 16.0' = 20.8 sq. ft. See §33-151.18(c). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
13. Days and hours of operation: 7AM - 6PM MONDAY - FRIDAY
14. Does the subject facility share the site with other facilities?  Yes  No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17?  Yes  No (If yes, describe the residential uses and indicate same on the plans).

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY JA

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 95 (number of children) = 3,325 sq. ft. of classroom area required.

b. Elementary Grades 1-6

30 sq. ft. x 98 (number of children) = 2,940 sq. ft. of classroom area required.

c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x 44 (number of children) = 1,100 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 7,365 SF.  
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 6,488 SF

OUTDOOR RECREATION SPACE:

a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 47.5 (1/2 of children) = 2,138

b. Grades 1-6

500 sq. ft. x 30 (first 30 children) = 15,000

300 sq. ft. x 68 (remaining children) = 20,400

c. Grades 7-12

800 sq. ft. x 30 (first 30 children) = 24,000

300 sq. ft. x 14 (next 300 children) = 4,200

150 sq. ft. x - (remaining children) = -

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 65,738 SF  
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 54,683 SF

TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

a. 28 trees are required per net acre. Trees required: 71 Trees provided: 78

b. Ten shrubs are required for each tree required. Shrubs required 710 Shrubs provided 710

c. Grass area for organized sports/play area in square feet: 36,656 SF

d. Lawn area in square feet (exclusive of organized sports/play area): 8,065 SF

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY HA

School Address: 12101 S.W. 34 STREET Zip Code: 33175<sup>4</sup>.

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this \_\_\_\_ day of \_\_\_\_\_ at Miami-Dade County, Florida.

\_\_\_\_\_  
Signature

WITNESSES:  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY JA

# Memorandum



**Date:** 16-MAY-11  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000148

**Fire Prevention Unit:**

This memo supersedes MDFR memorandum dated October 4, 2010.  
 APPROVAL  
 No objection to site plan date stamped April 28, 2011.

**Service Impact/Demand**

Development for the above Z2010000148  
 located at 12101 S.W. 34 STREET, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1478 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>3,895</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 2.61 alarms-annually.  
 The estimated average travel time is: 7:20 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 58 - Tamiami - 12700 SW 6 Street  
 Rescue, ALS Engine.

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:  
 None.

**Fire Planning Additional Comments**

Service impact calculated based on site plan date stamped April 28, 2011.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND  
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

HIGHPOINT ACADEMY, INC

12101 S.W. 34 STREET, MIAMI-  
DADE COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

---

Z2010000148

---

HEARING NUMBER

**HISTORY:**

NC: CASE #201112001886 OPENED ON 4/6/11, FOR FAILURE TO COMPLY WITH  
CONDITION # 14 OF RESOLUTION 4-ZAB-119-82(OPERATING A BUSINESS WITH AN  
EXPIRED CERTIFICATE OF USE. CITATION #T014259, WAS ISSUED. THE CASE IS PENDING  
THE RESULTS FROM THE COMPLIANCE INSPECTION

CASE #201112001887 OPENED ON 4/6/11, FOR FAILURE TO COMPLY WITH CONDITION #3  
OF RESOLUTION 4-ZAB-119-82(ADDITIONS/CHICKEE HUT)IS NOT IN ACCORDANCE WITH  
THE APPROVED SITE PLAN. CITATION #T014260 WAS ISSUED. THE CASE IS PENDING THE  
RESULTS FROM THE COMPLIANCE INSPECTION. 201112001889/OPENED ON 4/6/11, FOR  
FAILURE TO COMPLY WITH CONDITION #4-ZAB-119-82(OBTAINING MORE FACULTY AND  
STAFF THAN WHAT WAS APPROVED. CITATION #T14268 WAS ISSUED. THE CASE IS  
PENDING THE RESULTS OF THE COMPLIANCE INSPECTION. 201112001892, OPENED  
4/6/11, FOR FAILURE TO COMPLY WITH THE CONDITION #8 OF RESOLUTION #4-ZAB-119-  
82(OFFERING MORE GRADE LEVELS THAN WHAT WAS APPROVED. CITATION #T014271  
WAS ISSUED. THE CASE IS PENDING THE RESULTS FROM THE COMPLIANCE  
INSPECTION

BLDG: 20110143797-B OPENED ON 3/31/11 FOR A NEW GAZEBO WITHOUT A PERMIT. A  
NOTICE OF VIOLATION WAS ISSUED. COMPLIANCE DUE DATE IS 6/29/11.

20110144008-BOPENED ON 4/7/11 FOR A PORTABLE BUILDING WITHOUT A PERMIT. A  
NOTICE OF VIOLATION WAS ISSUED. COMPLIANCE DUE DATE IS 7/6/11.

HIGHPOINT ACADEMY, INC

**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

# ZONING INSPECTION REPORT

Inspector: MARTINEZ, RAMIRO

Inspection Dat

Evaluator: ANTONIO ATALA

06/01/11

**Process #:** Z2010000148  
**Applicant's Name:** HIGHPOINT ACADEMY, INC  
**Locations:** 12101 S.W. 34 STREET, MIAMI-DADE COUNTY, FLORIDA.  
**Size:** 2.52 ACRES  
**Folio #:** 3049130000052

## Request:

1 Special Exception to permit an existing private school with the addition of grades 7 and 8 (day nursery, kindergarten, summer camp and grades 1-6 previously approved).  
2 Modification of a plan approved pursuant to Resolution #4-ZAB-119-82, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: Plans are on file and may be examined in the Zoning Department entitled "Proposed Addition & Remodel to 'Highpoint Academy'" consisting of seven pages, prepared by Jose Hevia, Architect, dated revised 1-25-82, pages 2, 3, 4 and 6 dated revised 2-20-82.

TO: Plans are on file and may be examined in the Zoning Department entitled "Highpoint Academy Hearing Boards Application" as prepared by Neville & Associates P.A., Sheet A100 dated stamped received 04/28/11, sheet L100 dated stamped received 11/29/10 and the remaining 4 sheets dated stamped received September 20, 2010 for a total of 6 sheets.

3 Modification of Conditions #4, #8 and #10 of Resolution #4-ZAB-119-82, passed and adopted by the Zoning Appeals Board, reading as follows:

From: "4. That the use be approved and restricted to a maximum of 245 students.

To: "4. That the use be approved and restricted to 237 students, 198 students maximum permitted.

From: "8. That the number of grades will be from pre-school to 6 grade.

To: "8. That the number of grades will be from pre-school to 8 grade."

From: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 5.

To: "10. That the number of teachers shall not exceed 17. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8.

The purpose of request #2 and #3 is to allow the applicant to submit plans showing the addition of a modular classroom building to the site. The applicant is also requesting to permit the reduction in the number of students, the addition of grades 7 and 8 to the private school, and to permit a reduction in the number of teachers and an increase in the number of administrative and clerical personnel.

4 Applicant is requesting to permit a total of 237 students (198 students maximum permitted), (245 students previously approved where 138 students were permitted).

5 Applicant is requesting to permit the proposed modular building to setback 7'-6" (50' min. required) from interior side (east) property line.

6 Applicant is requesting to permit a classroom space of 6,488 SF (7,365 SF min. required).

7 Applicant is requesting to permit an outdoor recreation area of 54,683 SF (65,738 SF min. required).

8 Applicant is requesting to permit the existing basketball court setback 34' (75' required) from the north property line (SW 32 Ter) and to setback 6' (7.5' required) from the interior side side (west) property line.

9 Applicant is requesting to permit a prefabricated storage building addition to classroom #2 to setback 8.35' (50' required) from the interior side (east) property line.

## EXISTING ZONING

Subject Property RU-1,

## ZONING INSPECTION REPORT

**EXISTING USE** SAME

### **SITE CHARACTERISTICS**

#### **STRUCTURES ON SITE:**

ONE STORY CLASSROOM BUILDINGS WITH AN ATTACHED COVERED PATIO AND A CHICKEE HUT.

#### **USE(S) OF PROPERTY:**

PRIVATE SCHOOL K THRU 6TH GRADE AND SUMMER CAMP

#### **FENCES/WALLS:**

5 FT IRON FENCE ALONG THE FRONT AND INTERIOR PROPERTY LINES OF FRONT YARD. THE REST OF THE PROPERTY HAS A 6 FT CHAIN LINK FENCE W/ A 3 STRAND BARBED WIRE.

#### **LANDSCAPING:**

REAR OF SUBJECT PROPERTY IS VERY LIMITED IN LANDSCAPING.

#### **BUFFERING:**

THERE SHOULD BE A LANDSCAPE BUFFER ALONG THE NORTH PROPERTY LINE IN ORDER TO MITIGATE THE SCHOOL'S IMPACT ON THE RESIDENTIAL PROPERTIES TO THE NORTH.

#### **VIOLATIONS OBSERVED:**

THE SCHOOL'S 2010 ANNUAL RENEWAL INSPECTION WAS DENIED ON AUGUST 27, 2010 FOR NOT COMPLYING W/THE CONDITIONS OF RESOLUTION Z-ZAB-119-82. THESE VIOLATIONS WERE REFERRED TO BNC FOR ENFORCEMENT. PLEASE SEE BNC ENFOCEMENT LETTER IN REGARD TO THE VIOLATIONS. THE PRIVATE SCHOOL IS CURRENTLY OPERATING WITH AN EXPIRED CERTIFICATE OF USE.

#### **OTHER:**

<b>Process #</b>	<b>Applicant's Name</b>
Z2010000148	HIGHPOINT ACADEMY, INC

### **SURROUNDING PROPERTY**

#### **NORTH:**

RU-1; SINGLE FAMILY HOMES.

#### **SOUTH:**

RU-1; SINGLE FAMILY HOMES.

#### **EAST:**

RU-1; DADE COUNTY PARK.

#### **WEST:**

RU-1; DADE COUNTY PARK.

## ZONING INSPECTION REPORT

### **SURROUNDING AREA**

THE SUBJECT PROPERTY IS SURROUNDED BY SINGLE FAMILY HOMES TO THE NORTH & SOUTH AND A DADE COUNTY PARK TO THE EAST & WEST.

### **NEIGHBORHOOD CHARACTERISTICS:**

THE AREA IS CHARACTERIZED BY SINGLE FAMILY HOMES AND A LARGE DADE COUNTY PARK LACATED IN THE MIDDLE OF A RESIDENTIAL SUBDIVISION.

### **COMMENTS:**

Inspector **MARTINEZ, RAMIRO**

Evaluator **ANTONIO ATALA**

Process Number: **Z2010000148** Applicant Name **HIGHPOINT ACADEMY, INC**



Date: 01-JUN-11

Comments: NORTH FRONT VIEW OF SUBJECT PROPERTY.



Date: 01-JUN-11

Comments: NW FRONT VIEW OF SUBJECT PROPERTY.



Date: 01-JUN-11

Comments: SOUTH REAR VIEW OF PRIVATE SCHOOL W/AN ATTACHED COVERED TERRACE.

Inspector **MARTINEZ, RAMIRO**

Evaluator **ANTONIO ATALA**

Process Number: **Z2010000148** Applicant Name **HIGHPOINT ACADEMY, INC**



Date: 01-JUN-11

Comments: ILLEGAL CHICKEE HUT LOCATED BEHIND THE SCHOOL BUILDING REFERRED TO BNC.



Date: 01-JUN-11

Comments: PARKING ON NATURAL TERRAIN IS NOT PERMITTED. WHEEL STOPS AT THE NW CORNER OF SCHOOL BUILDING (GRASS AREA) MUST BE REMOVED OR OBTAIN PARKING VARIANCE.



Date: 01-JUN-11

Comments: 3 STRANDS BARBED WIRE FENCE LOCATED ALONG THE NORTH & EAST PROPERTY LINES NOT PERMITTED IN RU-1. REFERRED TO BNC.

Inspector **MARTINEZ, RAMIRO**

Evaluator **ANTONIO ATALA**

Process Number: **Z2010000148** Applicant Name **HIGHPOINT ACADEMY, INC**



Date: 01-JUN-11

Comments: BASKETBALL COURT LOCATED TO THE REAR OF SUBJECT PROPERTY.



Date: 01-JUN-11

Comments: RU-1 SINGLE-FAMILY HOMES LOCATED TO THE SOUTH OF SUBJECT PROPERTY.



Date: 01-JUN-11

Comments: SINGLE FAMILY HOMES LOCATED TO THE SOUTH OF SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

Evaluator **ANTONIO ATALA**

Process Number: **Z2010000148** Applicant Name **HIGHPOINT ACADEMY, INC**



Date: 01-JUN-11

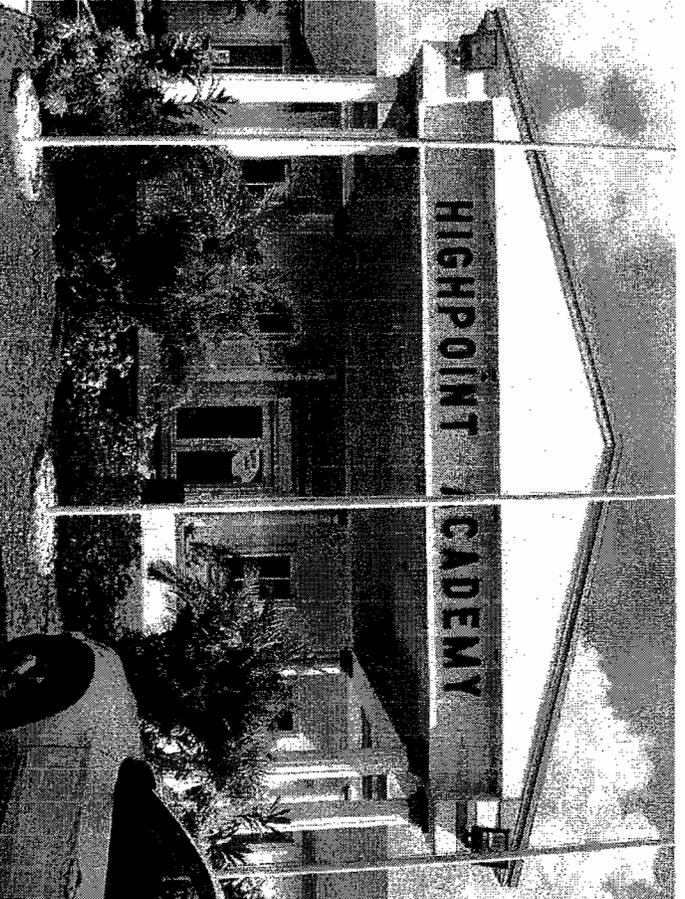
Comments: DADE COUNTY PARK LOCATED TO THE EAST OF SUBJECT PROPERTY.



Date: 01-JUN-11

Comments: DADE COUNTY OPEN LAND LOCATED TO THE WEST OF SUBJECT PROPERTY.





Views of South (Front) Elevation - Classroom Building 1



**RECEIVED**  
 210.148  
 SEP 20 2010  
 ZONING HEARING SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT  
 BY *AA*

**HIGHPOINT ACADEMY** 13101 SW 34 STREET, MIAMI, FL  
 NEVILLE & ASSOCIATES PARCHITECTS  
 5150 SW. 75 ST, MIAMI, FL 33143  
 AA C002186

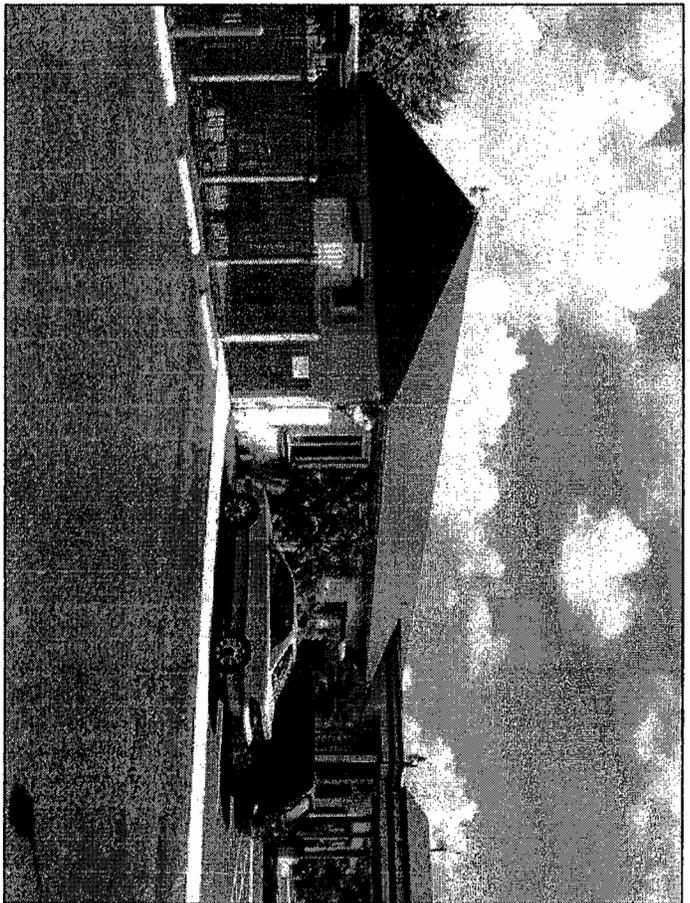
**SOUTH 2**  
 September 17, 2010

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210.148  
SEP 2 0 2010

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

*AS*



*View of West Elevation - Classroom Building 1*

**HIGHPOINT ACADEMY** 13101 SW 34 STREET, MIAMI, FL  
NEVILLE & ASSOCIATES PA ARCHITECTS  
5150 SW. 75 ST, MIAMI, FL 33143  
AA C002186

**WEST 1**

September 17, 2010

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210-148  
SEP 20 2010

ZONING HEARINGS SECTION  
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BY PA



View of North Elevation - Classroom Building 1

**HIGHPOINT ACADEMY** 13101 SW 34 STREET, MIAMI, FL  
NEVILLE & ASSOCIATES PA ARCHITECTS  
5150 SW. 75 ST, MIAMI, FL 33143  
AA C002186

**NORTH 1**  
September 17, 2010

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MIAMI-DADE PLANNING AND ZONING DEPT.  
BY *[Signature]*



*View of East Elevation - Classroom Building 1*

**HIGHPOINT ACADEMY** 13101 SW 34 STREET, MIAMI, FL  
NEVILLE & ASSOCIATES PARCHITECTS  
5150 SW. 75 ST, MIAMI, FL 33143  
AA C002186

**EAST 1**  
September 17, 2010

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SEP 20 2010

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
BY *[Signature]*



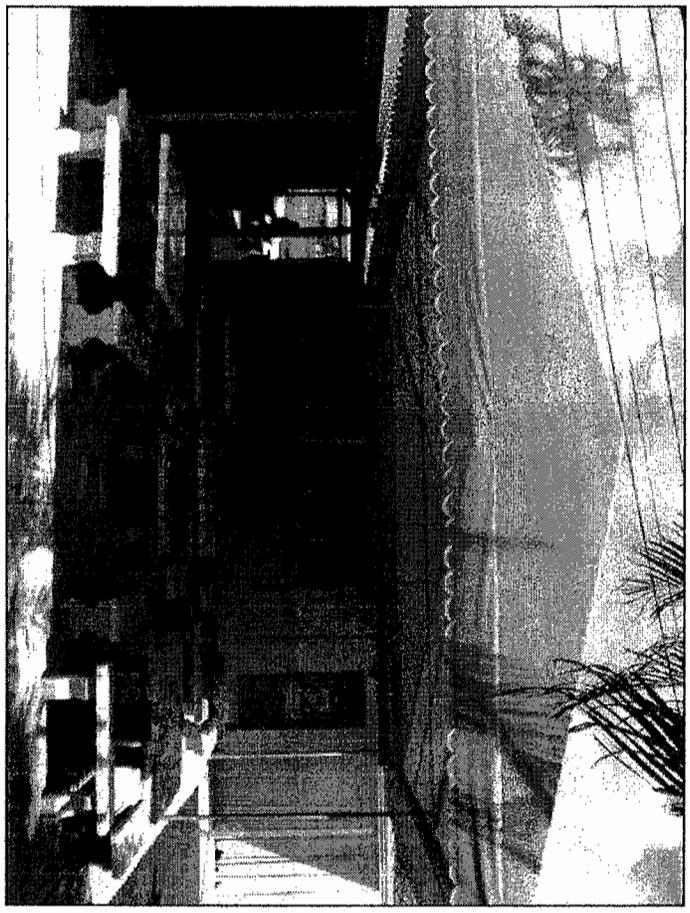
View of West Elevation - Classroom Building 2

**HIGHPOINT ACADEMY** 13101 SW 34 STREET, MIAMI, FL  
NEVILLE & ASSOCIATES PA ARCHITECTS  
5150 SW 75 ST, MIAMI, FL 33143  
AA C002186

**WEST 2**  
September 17, 2010

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210.148  
SEP 21 2010

ZONING HEARINGS SECTION  
PLANNING AND ZONING DEPT.  
BY *AK*



View of South Elevation - Classroom Building 2

**HIGHPOINT ACADEMY** 13101 SW 34 STREET, MIAMI, FL  
NEVILLE & ASSOCIATES P.A. ARCHITECTS  
5150 SW. 75 ST, MIAMI, FL 33143  
AA C002186

**SOUTH 3**  
September 17, 2010



entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: \_\_\_\_\_

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: \_\_\_\_\_

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

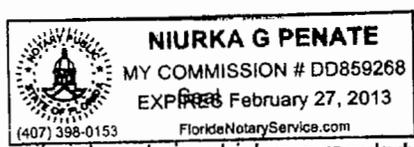
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *Niurka G Penate*  
(Applicant)

Sworn to and subscribed before me this 17 day of Sept, 2010. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

*Niurka G Penate*  
(Notary Public)

My commission expires: 2/27/2013



\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

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SEP 20 2010

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY *PA*

34

**DISCLOSURE OF INTEREST\***

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Highpoint Academy, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Alicia A. Casanova - 12101 S.W. 34<sup>th</sup> ST</u> <u>Miami, FL 33175</u>	<u>100%</u>
_____	_____
_____	_____

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

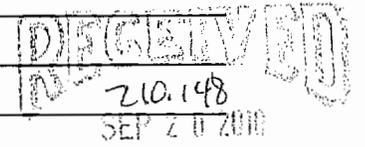
TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____

  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar





North & Associates, P.A.  
 2500 N.W. 10th Street, Suite 100  
 Fort Lauderdale, FL 33304  
 Phone: (954) 571-1100  
 Fax: (954) 571-1101  
 Website: www.northand.com

Consultant

Project  
**Highpoint Academy Hearing Boards Application**  
 5215 SW 34 Street  
 Miami, FL 33177

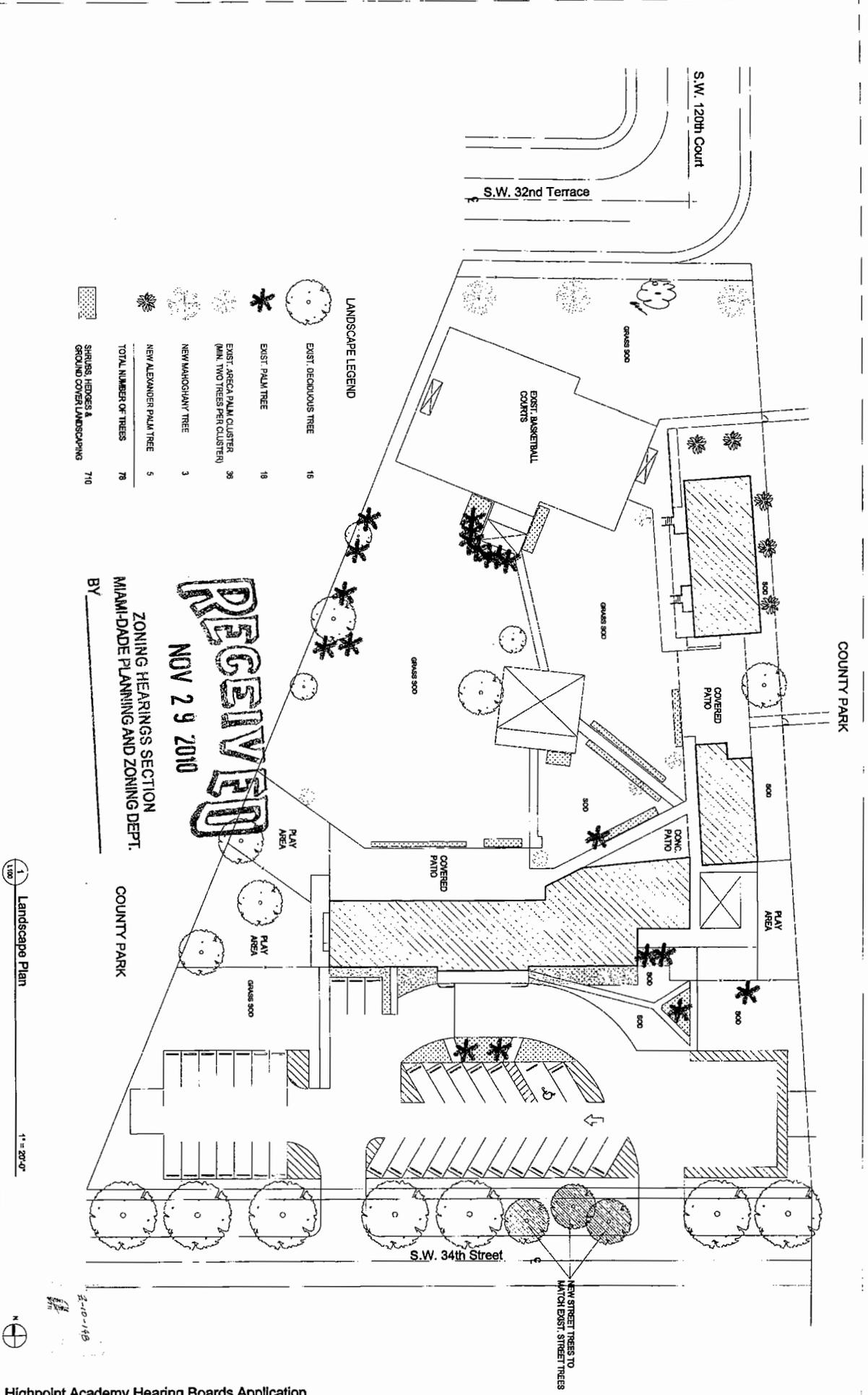
Client  
 Highpoint Academy  
 5215 SW 34 Street  
 Miami, FL 33177

Sheet Name  
 Landscaping Plan

Date	Revised
September 17, 2010	

Scale  
 1/8" = 1'-0"

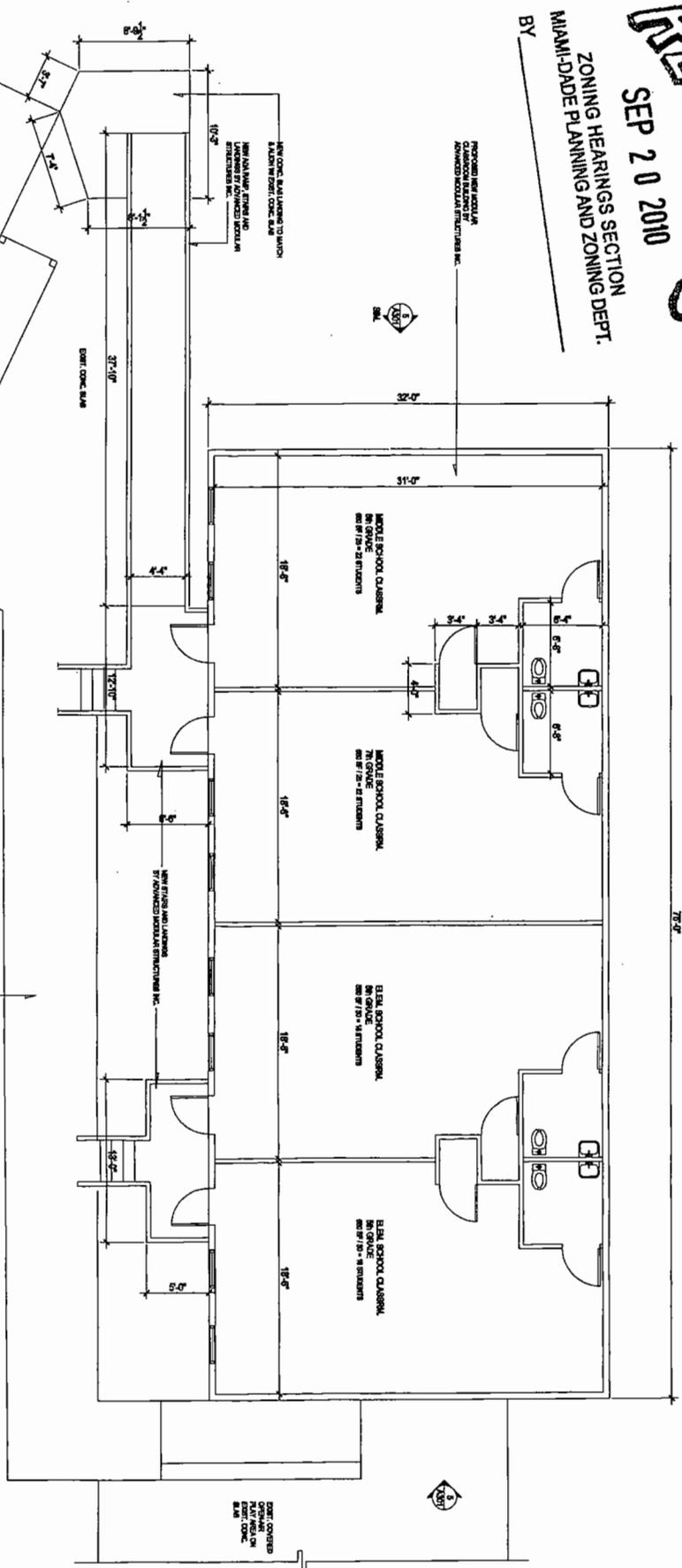
Sheet Number:  
**L100**





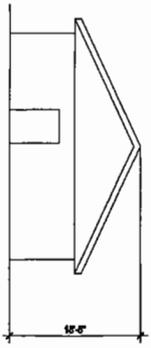
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 SEP 20 2010

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY \_\_\_\_\_

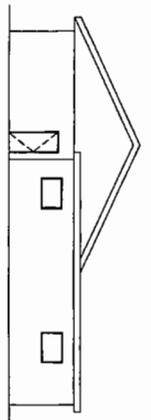


1 Floor Plan - Proposed New Modular Classroom Building

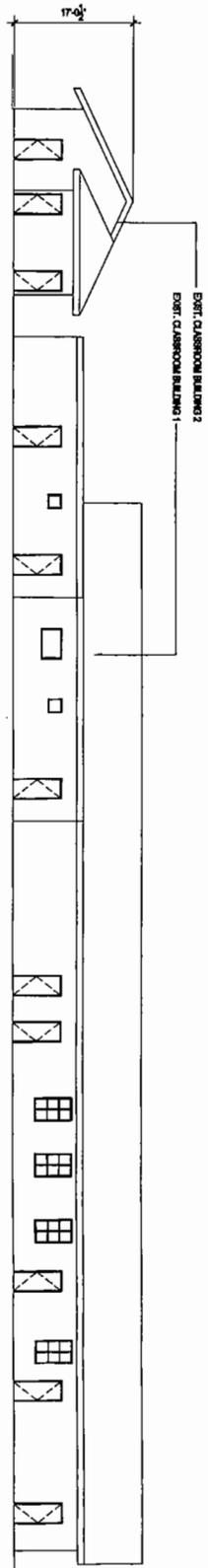
Nerylo & Associates P.A. 12000 SW 14th Street Suite 100 Miami, Florida 33185 Tel: 305-551-1111 Fax: 305-551-1112	Consultant:	Project: <b>Highpoint Academy Hearing Boards Application</b> 1200 SW 14th Street Suite 100 Miami, FL 33135	Client: Highpoint Academy 1200 SW 14th Street Suite 100 Miami, FL 33135	Sheet Name: Proposed New Modular Classroom Bldg Floor Plan	Date: September 17, 2010 Revision:	Scale: 	Sheet Number: <b>A201</b>
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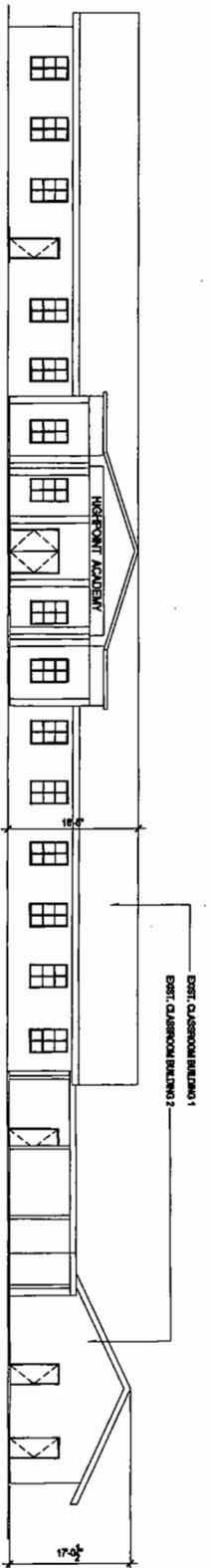
3 West Elevation (Side)  
Classroom Building 1  
1/8" = 1'-0"



4 East Elevation (Side)  
Classroom Building 1  
1/8" = 1'-0"



2 North Elevation (Rear)  
1/8" = 1'-0"



1 South Elevation (Front)  
1/8" = 1'-0"

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SEP 20 2010  
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MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

**Neyle & Associates P.A.**  
Architects  
1700 NW 110 St  
Miami, FL 33139  
Tel: 305-441-3333

**Consultant:**

**Project:**  
Highpoint Academy Hearing Boards Application  
1700 NW 110 St  
Miami, FL 33139

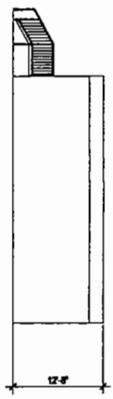
**Client:**  
Highpoint Academy  
1700 NW 110 St  
Miami, FL 33139

**Special Name:**  
Elevator Elevations - Classroom Bldg.

Date	By	Sheet
September 17, 2010	Neyle	

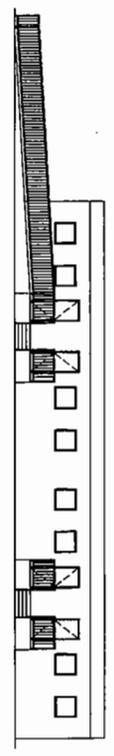
**Special Number:**  
A300

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.



5 Side Elevations  
Modular Classroom Building 1/8" = 1'-0"

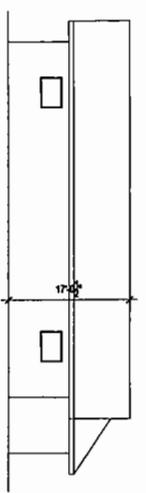
NOTE: MODULAR CLASSROOM BUILDING BY ADVANCED  
MODULARS - ALL DESIGN & PERMIT DRAWINGS BY  
MODULAR MANUFACTURING SYSTEMS, INC.  
SEP 20 2010  
**RECEIVED**  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_



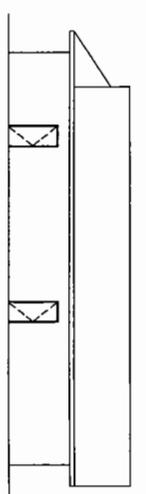
3 West Elevation (Front)  
Modular Classroom Building 1/8" = 1'-0"



4 East Elevation (Rear)  
Modular Classroom Building

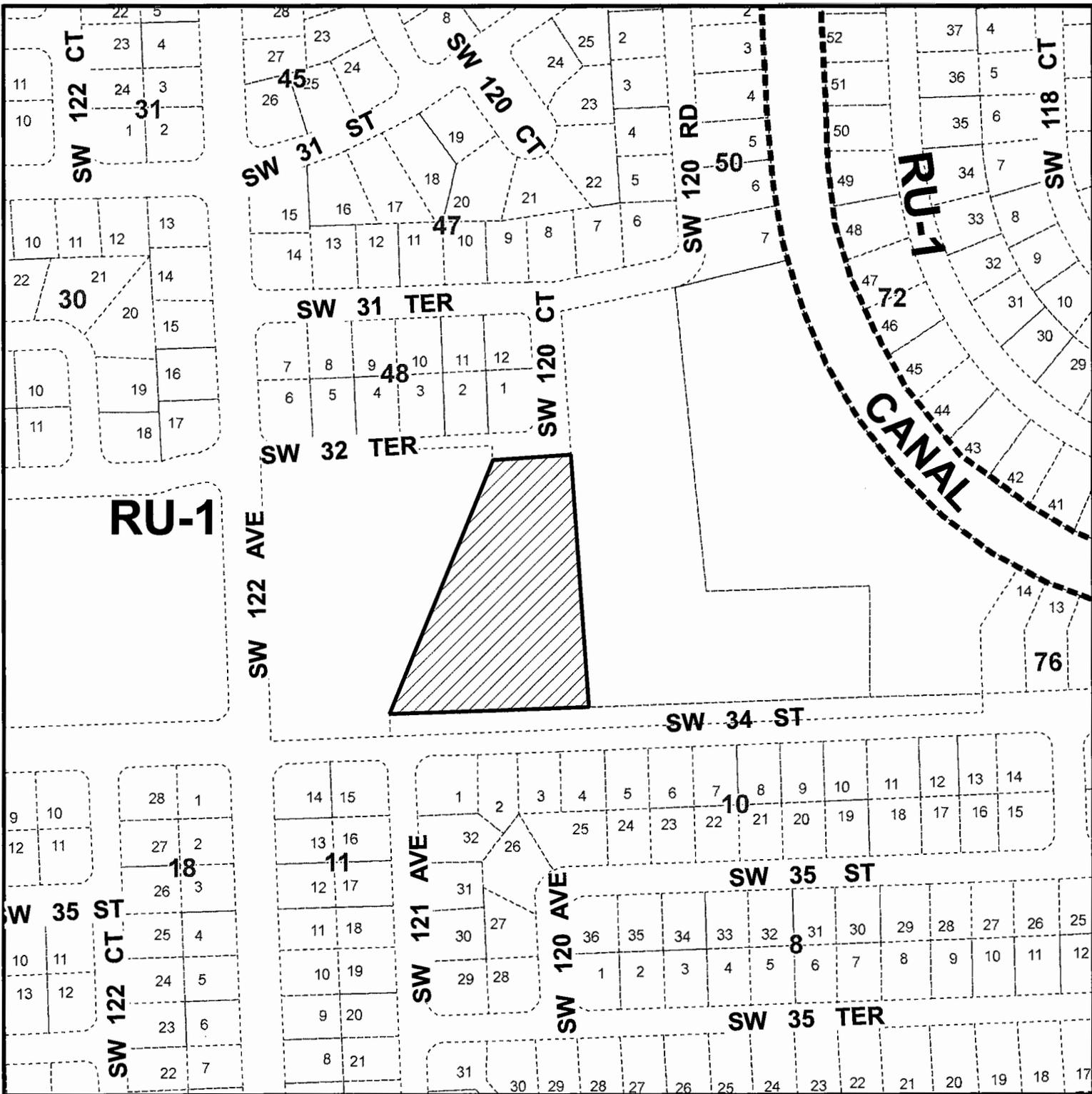


1 East Elevation (Side)  
Classroom Building 2 1/8" = 1'-0"



2 West Elevation (Side)  
Classroom Building 2 1/8" = 1'-0"

Consultant: Neff & Associates P.A. 11160 NW 17th St. Suite 100 Miami, FL 33187 Tel: 305-553-8800	Project: Highpoint Academy Hearing Boards Application 5201 NW 34 Ave Miami, FL 33178	Client: Highpoint Academy 5201 NW 34 Ave Miami, FL 33178	School Name: Eschler Elementary - Modular Bldg. and Classroom Building 2	Date: September 17, 2010	Scale:  3/8" = 1'-0"	School Number: <b>A.301</b>
---	---	---	--	-----------------------------	---	--------------------------------



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000148**



Section: 13 Township: 54 Range: 39  
 Applicant: HIGHPOINT ACADEMY, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, September 29, 2010

REVISION	DATE	BY
		43



**MIAMI-DADE COUNTY**

AERIAL YEAR 2009

Process Number

**Z2010000148**



Section: 13 Township: 54 Range: 39  
 Applicant: HIGHPOINT ACADEMY, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Wednesday, September 29, 2010

REVISION	DATE	BY